STUDIES IN APPLIED
PŪRVA-MĪMĀṀSĀ

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S.G. MOGHE

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Dedicated to my professor
Hari Damodar Velankar
who initiated me into the studies of
Purva-Mimamsa.

– S.G. Moghe

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PREFACE

I have great pleasure in presenting to the world of Indology my book 'Studies in the Applied Pūrva-Mīmāṁsā', containing my 21 research papers and one review published in the reputed research journals of India.

In this bunch of articles, five articles on Atideśa, Punarvacana, Vākyabheda, Ūha the Anuvāda, are written to advocate my theory that the science of Pūrva-Mīmāṁsā is essentially evolutionary.

In the employment of the doctrines of Pūrva-Mīmāṁsā to the Dharma-Sāstra, I have carefully considered the contributions of Parasara-Mādhava, Devaṇṇabhaṭṭa, Nīlakaṇṭha and Dattaka-Candrikā and shown their strong points by introducing the principles of comparison and contrast.

I have tried to present before the readers Kālidāsa's knowledge of Pūrva-Mīmāṁsā and the principles of Mīmāṁsā interpretation with a particular reference to the Kavya portion in the light of the commentation of the Meghadūtam. In addition to this, I have presented my own fresh views on Prof. H.D. Velankar's theory of word economy and Ṛg-veda interpretation – particularly in relation to Ṛg-vedic poetry in the light of the Pūrva-Mīmāṁsā doctrines.

In the field of Vedānta, I have highlighted Śankarācārya and his contribution to the correct understanding of the Mīmāṁsā technical term 'Artha-Vāda' in the light of the Mīmāṁsā position.

In the Science of Alaṁkāra Śāstra, the Rasa theory occupies predominant position. I have ably shown how the Mīmāṁsā principles could be applied to the Rasa-Theory.

I have also attempted to evaluate the use of the Mīmāṁsā doctrines particularly in connection with the Commentary of Sankarārya on the Kamandkiya Nitisara–a subject of Indian political science.

Lastly I have also presented here my review on Vipramisra's Śrāddha-Pradipa recently edited by Dr. Swain, so as to give my views to the readers of Pūrva-Mīmāṁsā and Dharma-Śāstra here.

Finally I have no adequate wealth of words to express my sense of thankfulness to Shri S. Balwant for the readiness with which he

again undertook the publication of my work, and with the same zeal and the promptness in bringing out my book in most attractive form.

I express my sense of gratitude to all the research institutes and their directors for giving proper place to my articles in their journals.

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1

THE EVOLUTION OF THE MĪMĀṀSĀ TECHNICAL TERM ATIDEŚA

Atideśa is a highly technical term in Pūrva-Mīmāmsā. It means a rule of transfer or extension. In fact, this is the rule on the basis of which the details of the Prakṛti-yāga (original yāga) are transferred to the Vikṛti- yāga (modified yāga). Ganganath Jha translates *atideśa* as 'transference'.

Jaimini (400 B.C. to 200 B.C.) in his sūtras on the Pūrva-Mīmāmsā, has referred to the views of his predecessors like Ātreya, Ālekhana, Āśmarathya, etc. This shows that the science of Pūrva-Mīmāmsā was already well developed and its principles were well utilised in diverse disciplines even prior to the days of Jaimini. Hence an attempt is made in this paper to trace the evolution of the term *atideśa* in the light of the diverse disciplines in respect of its use, varieties, and sense, right from 800 B.C. to the 20th century A.D. It will not be out of place if it is casually mentioned here that the probable dates for the discussion in this paper are taken from P.V. Kane's *History of Dharmaśāstra* and K.V. Abhyankar's Prastāvanā Khaṇḍa of the *Mahābhāṣya of Patañjali.*

The term *atideśa* is found used in the Śrauta and the Gṛhya Sūtra literature whose probable period is taken as 800 B.C. to 400 B.C. It is used in the *Āśvalāyana Śrauta Sūtra (ASS)*[1] III.1. In the

Kauthuma Gṛhya Sūtra, it is used twice. In the *Kāthaka Gṛhya Sūtra* (KGS), however, this term is used five times. The commentator[2] of the *KGS* has pointed out that the sense of *atideśa* is conveyed by the word *evam* in the Sūtra. It is further to be noted that even the commentators of the Śrauta and the Gṛhya Sūtra literature have employed this term profusely. In the *Nārayaṇaavṛtti* on the *ASS*, there is ample use of this term. At *ASS* 15-14, Nārāyaṇa has employed this term[3] for the purpose of restriction and not for disclosing the nature of an act. He also holds that, for the rule of transfer, the *samānajātīyatva* is absolutely necessary.

It is true that the term *atideśa* is not found in the *Aṣṭādhyāyī*; but the principle of *atideśa* is virtually used in the sūtras by Pāṇini (500 B.C. to 300 B.C.). Abhyankar in his Prastavanā Khāṇḍa of the *Mahābhāṣya* has pointed out the varieties of Pānini's Sūtras and has mentioned the 'Atideśa Sūaras' and explained its function in the *Aṣṭādhyāyī*. The function of a particular termination in Pāṇini's Sūtras is further made applicable to the later sūtras by the principle of *atideśa* which is virtually accepted by Pāṇini. It deserves to be added here that the termination *vat* indicative of *atideśa* sometimes occurs in these Sūtras, but many a time it is conspicuous by its absence. Kātyāyana (300 B.C. to 200 B.C.) has a vārttika *śāstrātideśa* on Pāṇini's *Aṣṭādhyāyī* VII. 1.96 as noted[4] by Kane. Even Patañjali (150 B.C. to 1000 B.C.) uses the terms *atideśa kārya*, thus introducing the variety of *atideśa known* as *kāryātideśa*. Bhartṛhari (500-650 A.D.) in his *Mahābhāsya- dīpikā*[5] also refers to the variety of *atideśa* known as *kāryātideśa*. The fact that Patañjali has employed *tādrūpya* and *atādrūpya atideśa* is evident from the commentary[6] *Bālamanoramā* on the *Siddhānta-Kaumudī*. The survey of this literature helps us to infer that right from 500 B.C. to 200 B.C., the grammarians have not only used the term *atideśa* but they have also gone to the extent of discussing the varieties of the same.

Jaimini has discussed the topic of the rule of transfer in the seventh and the eighth chapters of the *Pūrva-Mīmāṁsā Sūtras*. The term *atideśa* actually occurs in Jaimini's *Pūrva-Mīmāṁsa* Sūtra VII 1.17. In the opinion of Ganganath Jha, *atideśa* necessarily presupposes some resemblance in case of details, materials, deities, etc., between the Prakṛti-yāga and the Vikṛti- yāga.

Vātsyāyana (200 B.C.) has also employed the term atideśa in his *Kāmasūtra* II. 2.8[7], Similarly Pṛthvīdhara, commenting in his *Jayamaṅgalā* on the *Kāmasūtra* II. 2.32, has employed this term to interpret the above sūtra.

Bādarāyaṇa, who is supposed to have flourished four generations after Jaimini, has the *Vedānta Sūtra* III. 3.46 in which there is a direct mention of the term *atideśa*. Śankarācārya (788-820 A.D.) in his comments on the above sūtra proves that the imaginary fires mentioned in the Vājasaneyī Agnirahasya are like actual fires connected with the sacrificial performance. He observes,[8] in this respect, that *atideśa* operates only when there is some scope for resemblance. In the commentary *Ratnaprabhā*, Govindananda (1500 A.D.) understands the word *sāmānya* in the commentary of Śankarācārya, on the above *Vedānta Sūtra in the sense* of resemblance. Śankarācārya, in his comments on the *Vedānta Sūtra* III 3.50, points[9] out that the word *ādi* in the sūtra has a reference to the other pramanas like *atideśa* and others. He has further made the joint[10] use of the maxim and the Mīmāṁsā technical term *atideśa* in his comments on the *Vedānta Sūtra* I. 4.28. From this it is quite clear that the term *atideśa* is quite common in the Vedānta literature and the interpreters of the *Vedānta Sūtras* have used it judiciously.

The connotation of the term *atideśa* in Kauṭilya, however, appears to be different. Kauṭilya (300 B.C.-100 A.D.) in his *Arthaśāstra*[11] 15.1.23 has used the term *atideśa* in the sense of 'application,' R.P. Kangle translates this passage from the *Kauṭilīya Arthaśāstra* as 'setting forth a thing with what is already said is application.' He also given the proper illustration[12] of atideśa from the *Kauṭilīya Arthaśāstra*. From this it will be fair to infer that the term atideśa is used in *Kauṭilīya Arthaśāstra* in a sense quite different from the one in the Pūrva-Mīmāṁsā literature.

Śabara (200 A.D.-400 A.D.) is perhaps the earlier commentator of the sūtras of Jaimini whose commentary is available to us, though the Vṛttikāra mentioned by him and identified[13] by Kane with Bhavdāsa, is a predecessor of Śabara. This Vṛtti, however, is not available to us. In his comments on Jaimini's *Pūrva-Mīmāṁsā* VII. 1.12, Śabara introduces the two varieties of *atideśa*, namely, *nāmātideśa* and *vacanātideśa*. He divides *nāmātideśa* into three

varieties, namely, *karmanāma*, *saṁskāranāma*, and *yaugikanāma*. He further divides *vacanātideśa into two varieties, namely, pratyakṣa vacana śruta* and *anumānika vacana śruta*. In his comments on Jaimini's *Pūrva- Mīmāṁsā* VII. 2.2 he specifically adds[14] that *atideśa* in respect of *kārya* is not possible, though this variety is already admitted in Patañjali's *Mahābhāṣya*. In his comments on Jaimini's *Pūrva-Mīmāṁsā* VII. 2.7, Śabara points out that *atideśa* of *svara* is possible. In his comments on Jaimini's *Pūrva-Mīmāṁsā* VII. 1.17 he speaks of *atideśa* of *arthavāda*. While commenting on Jaimini's *Pūrva-Mīmāṁsā* VII. 1.19, he advocates *atideśa* of *vidhi*, and, commenting on VIII. 2.1, allows the *atidśa* of *dharma*. In his commentary on Jaimini's *Pūrva-Mīmāṁsā* X.8.85, he has not failed to point out that *atideśa* is weaker than the direct statement. He has also shown[15] in connection with Jai. VIII. 1.22 that the fruit of the Prakṛti-yāga is not to be imagined in the Vikṛti-yāga. It is further interesting to note that Śabara has stressed also the cases where the principle of *atideśa* does not hold good.

The term *atideśa* is differently understood by Bharata (300 A.D. to 500 A.D.) in his *Nāṭyaśāstra*. He has taken this term in the sense of 'agreement' in *Nāṭyaśāstra*[16] 22.57b. The exact translation of the passage under discussion is: 'You have said what was uttered by me is (an example) of agreement (*atideśa*).'

Karka, whose date has been suggested by some scholars to be 380 Samvat i.e. 437 A.D., has admitted the varieties of *atideśa* as proposed by Śabara on Jaimini's *Pūrva-Mīmāṁsā Sūtras*, though he has not quoted him in his comments on *Kātyāyana Śrauta Sūtra (KSS)*. He has added the fourth variety[17] of *atideśa* known as *anuvācana atideśa* in his commentary on *KSS XIX*. 3.8. Ganganath Jha also has mentioned this variety of *atideśa*. Karka has introduced one more variety of *atideśa* known as *adhikarana atideśa* in his comments on the *KSS* 22.8.24 and 25.7.4.

By the seventh century A.D., the science of *Pūrva-Mīmāṁsā* appears to have made an appreciable progress. Kumārila (650 A.D. to 700 A.D.) has rejected[18] the variety of *atideśa* known as *yaugika atideśa* suggested by Śabara and later on accepted by Śankarabhaṭṭa in his *Mīmāṁsā-Bāla-Prakāśa*. Commenting on Jaimini' *Pūrva-Mīmāṁsā* VIII. 1.24, he says that *atideśa* is also possible when the details are to be transferred for serving the purpose of a

sacrifice (*kratvartha*). He further points out that *atideśa* serves the purpose of *anuvāda*.[19] Commenting on Jaimini's *Pūrva-Mīmāṁsā* VIII. 1.20, Kumārila shows that the term atideśa is not to be applied in the case of a performer of an act.

The science of *Purva-Mīmāṁsā* is further studied by the writers in 11th century A.D. Abhinavagupta (1030-1070 A.D.) has offered an explanation[20] of the word *atideśa* in the *Nāṭyaśāstra*. He has also made free use of this term in his *Abhinavabhāratī on the Nāṭyaśāstra*.

The real change in the concept of *atideśa* can, however, be noticed only in the writings on Dharma-Śaśtra from the 11th century A.D. Vijñāneśvara (1080-1100 A.D.) has suggested in his *Mitākṣarā* on the *Yājñavalkya-Smṛti* III. 265 some reduction[21] of the original details to the extended cases particularly in respect of the expiation to be carried out for the minor sins other than the killing of the cow. It should be noted here that Viñāneśvara has not specifically stated the extent of reduction. Apararka (1125 A.D.) on the *Yājñavalkya-Smṛti* III. 265 maintains that the direct assertion is more powerful than the statement of extension. He further adds that the direct declaration annuls the matter that becomes available only by the rule of transfer. In this connection, it is possible to say that Aparārka is in agreement with Kumārila. Haradatta (1100-1300 A.D.), the commentator of the *Gautama Dharma Sūtra*, also maintains that *atideśa* can be annulled by the direct statement. In his comments[22] on the Āpastaṁba Dharma Sūtra I.8.26.5, Haradatta points out that only the half of the details of the original are to be transferred to the extended cases. He takes great care to support his view by quoting Bhārgava[23] in his favour. Śankarabhaṭṭa (1560-1620 A.D.), in his *Mīmāṁsā-Bāla-Prakāśa*, introduces seven varieties of *atideśa*. His divisions of *nāmātideśa* and *vacanātideśa* find support in Śabara's comments on Jaimini's Śutras. But his division[24] of anumānika *atideśa* into three varieties–*codanāsāmānya*, *āśrayātideśa*, and *sthānāpātti* – is a novel one. In the 17th century A.D. Nīlakaṇṭha (1600- 1660) has introduced the three varieties of *atideśa* such as *sāmya*, *tādrūpya*, and *vācanika* in his discussion on the *Prāyaścitta Mayūkha*. He further adds[25] that in the case of *sāmya atideśa*, the expiation should be one half of the original expiation that is laid down or prescribed for the act that is treated

as *prakṛti*. In the case of *tādrūpya atideśa* and *vācanika atideśa*, however, the expiation to the extended cases should be three fourth, i.e. it should be less than the original expiation only by one fourth. It is worthy of note that Nīlakaṇṭha has cared to give illustrations of these varieties by quoting the texts from the Dharma- Śāstra literature. Here it must be pointed out that Nīlakaṇṭha's division of *atideśa* into *sāmya*, *tādrūpya*, and *vācanika* is not a novel one, since the same is already suggested by the grammarians and Śabara. Due credit, however, will have to be given to him for the rate in the reduction of the details from the original act to the extended case.

On a careful study of the works on grammar, particularly in the latter part of the 17th century A.D. and the former part of the 18th century A.D., one will be able to realise the common aspect of the study of the grammarians and the Mīmāṁsakas in respect of the technical term *atideśa*. Nāgojībhaṭṭa (1670-1750 A.D.) has a special Paribāṣā (No. 110) in his *Paribhāsenduśekhara* that, though all the details of the Prakṛti are transferred to the Vikṛti, the special details cannot be transferred. This Paribhāṣā of Nāgojībhaṭṭa completely agrees with the import of the *Pūrva- Mīmāṁsā* VII. 3.30, 32, 34-36 and also the *Mīmāṁsā-Maṇḍana* pp. 290-291.

A careful student of the science of Astrology also notices that the term *atidśa* is commonly used in the commentaries on the works on Astrology. Here one example would be enough to bring the point home to the readers. In the *Pramitākṣarā* on the *Muhūrta-Cintamaṇi* (MC), Rāma (Śaka 1522 i.e. 1600 A.D.) the son of Ananta, employs the principle of *atideśa*. On *MC* XI. 20. Rama states that here *atideśa*[23] is intended to point out the fruit. The fact that *trayodaśī* is like *tṛtīyā*, *caturdaśī* like *caturthī*, etc., simply suggests the fruit of *tṛtiyā* for *trayodaśī* in respect of the march against the enemy in the eastern direct. Rāma also adds on *MC*. XI. 110 that the faults that are already discussed in the Vivāha-Prakaraṇa are only extended to this topic of Yātra-Prakaraṇa with the clear intention[29] that the students should not forget these faults. Here *avismaraṇa* is the purpose of the use of *atideśa*. This seems to be a peculiar use of *atideśa*.

The principle of *atideśa* is given due importance even by the western interpreters of law. Maxwell (1875 A.D.) 'On the

Interpretation of the Statutes' deals with the extension of the letter (pp. 92-96), extension to new things (p. 102), and also points out the purpose of utilising extension for suppressing the mischief and advancing the remedy. On page 102, he observes: The language of a statute is generally extended to new things which were not known and could not have been contended to new things which were not known and could not have been contemplated when the act was passed, when the act deals with a genus and a thing which afterwards comes into existence was a species of it.' Thus the provision of the Magna Carta which exempted lords from the liability of having their carts taken for carriage was held to extend[30] to degrees of nobility not yet known when it was made, such as dukes, marquises, and viscounts. From this case, it is clear that the principle of extension is applied in western jurisprudence to the new things not in existence at the time when the rule is framed and particularly to those new things that have respectable amount of similarity with the already existing things for which the rule is framed.

In the 20th century, the principle of extension was also more judiciously applied by the courts during the British regime. In this connection, it will be pertinent to quote some extracts from *Mīmāṁsā Jurisprudence* by A.S. Nataraja Ayyar. Ayyar points out on page 76 that conclusions may be drawn from the analogies of Hindu law but, as decided in Tagore case, the privy council deduced the principles from the law of gifts and applied them to the law of wills and stated that it is the duty of the court dealing with a case now in the instance to be governed by the established principles and analogies which have prevailed in like cases.' Ayyar has also cited other cases[31] illustrating the principle of extension used by the courts during the British regime. In respect of extension, he has further added[32] that 'it is held that nothing from the foreign source should be introduced into nor should the courts interpret the text by the application to the language of strained analogies.' On page 81.of his *Mīmāṁsā Jurisprudence*, Ayyar points out that analogy is a useful weapon but it must be cautiously applied. The accuracy of the conclusion drawn will depend on the relative importance of the resemblances and unimportance of the differences between the two things – the situation being analysed

from the point of view of the proposition which it is desired to establish.

In fine, one will have to appreciate that the principle of *atideśa* is a signal contribution of the Mīmāṁsakas and its importance in the modern society dealing with legalities can hardly be gainsaid, though in its use, sense, and varieties, considerable changes have been introduced in different centuries and by different authors expounding diverse disciplines of knowledge.

FOOT-NOTE

1. Atidiṣṭānām stomapṛṣṭhasaṁsthānyatvāt ananyabhāvaḥ/ASS, p. 368 (Anandashram edition, 1917)
2. KGS III.14.1 IV.1.10 etc. (Dr. Caland's edition, 1925)
3. Also read:. ĀŚS, p.231.
4. Kane, *History of Dharma-Śāstra* Vol. V. Part II, p.1156.
5. *Mahābhāṣya-dīpikā*, p. 263 (B.O.R. I. edition, 1970).
6. Bālamanoramā, p. 79 (Motilal Banarasidas, 1949)
7. *Sarvatra samjñārthenaiva karmātideśaḥ/Kāmasūtra* II. 2.8 (Kashi Sanskrit Series, No. 29, 1929).
8. *Sati hi sāmānye atideśaḥ pravartate/Śankarabhāṣya*, p. 759.
9. Ādi-śabdāt atideśādi api yathāsaṁbhavaṁ yojayitavam/Ibid., p. 761.
10. Yataḥ pradhāna-malla nibarhaṇa nyāyena atidiśati/Ibid., p. 343 (Śāṅkarabhāṣya, Nirnaya Sagar edition, 1934)
11. Uktena sādhanam atideśaḥ/K.A. p. 281 (Prof. Kangle's edition).
12. Dattasya-apradānam ṛṇādānena vyākhyātam/(III.16.1) iti/Ibid. p. 281
13. A.B.O.R.I., Vol. X. pp.153-154, 1930.
14. Tatrakārye tāvat atideśo no ghaṭate/Mīmāṁsā-Darśana, p. 1542, (Ānandashram edition, 1932)
15. Tasmāt na vikṛteḥ prākṛtaphalasaṁbandhaḥ/Śāstradīpikā, p. 557.
16. Atideśastvayoktaṁ yat tat mayoktamiti smṛtam/Nāṭya-Śāstra. 22.57b (G.O. Series, Baroda)
17. Ayam ca caraka-sautrāmaṇi-anuvācana-atideśo paro viśeṣaḥ/KŚS XIX.3.8 (Chowkhamba Sanskrit Series, 1929).
18. Yaugikam na atideśakam/Ṭuptīkā, Mīmāṁsadarśana, p. 1534. (Anandashram edition, 1932).
19. Yatrāpi ekasaṁkhyaḥ tatrāpi anuvādo tidesaḥ/Ibid., p. 1596. (Anandasrama edition, 1933).
20. Siddhena asiddhasya tulyatā-pratipādanam atideśaḥ ityarthaḥ/ Abhinavabhāratī On Nāṭya-Śāstra 22.57b.
21. Atrātideśasāmarthyāt go-carma-vasana go-paricaryadibhiḥ— go-vadhā-sadhārānaiḥ katipayaiḥ nyūnatvaṁ avagamyate/Mitākṣarā on Yājñavalkya- Smṛti III. 265.

22. Atideśeṣu cārdham prāpyata iti smārto nyāyastena strīṇāmardha-prāptyarthaṁ vacanamiti/Āp. Dh. Sūtra, p. 146 (Buhler's edition).

23. Aśītiryasya varṣāṇi bālo vapyūnaṣoḍaśaḥ/Prāyaścittārdhamarhanti striyo vyādhita eva ca/Ibid., p. 146.

24. Also See:– Mīmāṁsā-Bāla-Prakāsa, p.118 (Chowkhamba Sanskrit series, 1902).

25. Atra sāmyātideśe, rdham tādrūpya-vācanikayostu pādonam/Prāyaścitta-Mayūkha p.14 (Gujarati Printing Press, Bombay, 1940).

26. Tādrūpya Atideśa/Prāyaścitta-Mayūkha, pp. 82,110; Vācanika Atideśa/ Prāyaścitta-Mayūkha pp.176,188; Sāmya Atideśa/Vyavahāra- Mayūkha, p. 57 (Kane's edition).

27. Sāmānyātideśe viśeṣānatideśaḥ/Paribhāṣenduśekhara, p. 477 (Marathi edition of Wadegonkar 1936).

28. Phalārtha-matideśo yaṁ/MC. p. 241 (Venkateshvar Press edition, 1928)

29. Atha vivāhokta-prakaraṇokta-doṣātideśam prāgukta-doṣānśca śiṣyāṇām-avismaraṇārtham mañjubhāṣinyā āha/MC, p. 280.

30. 2 Inst. 35 (Maxwell p.102 12th paper back edition, 1969).

31. A.S. Natraj Ayyar, Mīmāṁsā Jurisprudence, pp. 76-77.

32. Ibid., p. 76 and 13 M.I.A. 373 at p. 390.

2

MOTIVATIONS OF PUNARVACANA (Repetition)

It is an admitted fact that the Pūrva-Mīmāṁsā rules of interpretation have exercised tremendous influence on the various disciplines of Sanskrit learning. An attempt is therefore, made in this paper, to discover the motivations at the back of the use of the term 'Punarvacana' in the light of the different disciplines of learning. It must be mentioned, in this context, that the list of authorities cited in this paper is merely illustrative and not exhaustive and is intended to support my findings.

The scholars in the diverse disciplines of learning have employed the two equivalent terms-Anuvāda and Punarvacana-to serve the purpose of repetition. Actually there is a vast difference particularly maintained by the writers on Pūrva-Mīmāṁsā and Dharma-Śāstra in respect of the use or employment of these two terms. The writers on Pūrva-Mīmāṁsā and Dharma-Śāstra are of opinion that in the case of Anuvāda, there is no specific purpose at the back of its use. The association[1] of one thing with another thing in a different context plays an important part in Anuvāda. In the Punarvacana, however, emphasis or stress on the thing that is repeated, is more important. Roughly speaking, some hidden motivation must be there at the back of Punarvacana. The fact that there must be some motivation at the back of the use of

Punarvacana, is amply supported by the expression 'Punaḥ śrutiḥ' occurring in the body of the sūtras of Jaimini.

In the use of the Mīmāṁsā term Punarvacana, the views of the writers on Pūrva-Mīmāṁā and Dharma Śāstra are diametrically opposed to the views propounded by the writers on Nyāya-Śāstra and the Alaṁkāra-Śāstra. In Gautama's *Nyāya-Sūtra* V. 2.14, it is maintained that whenever there is a repetition of a word and a sense except in the case of Anuvāda, it is a case of Punarvacana. Besides, Vātsyāyana in his comments on the *Nyāya-Sūtra* II.1.60 points out a sharp difference[2] between the two terms–Anuvāda and Punarvacana. In his opinion, therefore, the repetition in the case of Punarvacana is meaningless; while the repetition in the case of Anuvāda is significant or meaningful. Even Śrīvidyā[3] –cakravartī on the *Alaṁkāra-Sarvasva* treats that except in the case of Anuvāda, repetition is a fault or a shortcoming. From this it is quite evident to the readers that among the writers on the Nyāya-Śāstra and Alaṁkāra-Śāstra, there is a complete agreement on the point that the repetition in Anuvāda is meaningful; while the repetition in the Punarvacana is a case of meaningless–repetition. It may be casually mentioned here that the view point of the writers on Pūrva-Mīmāṁsā and Dharma-Śāstra is generally upheld by the writers on the diverse disciplines of Sanskrit learning.

The origin of the term 'Punarvacana' can be traced back to the Ṛgvedic literature. In the Ṛg-veda, at several places, we observe the similarity of words, expressions and prayers and even some concepts. Sāyaṇācārya (1316 to 1387 A.D.), the celebrated commentator of the Ṛgveda has utilised the principle of Punarvacana in interpreting the Ṛgvedic mantras at five places such as V-17-5, V-41-17, VI-1-3, VII-7-2 and VII-58-5. In this comments[4] on the Ṛgveda VII-7-2; and VII-58-5, Sāyana has used this term for showing 'respect.' In addition to this, when the meaning of the mantras is quite clear, the Vedic poets have used the expressions like kuvid and ā to show repetition. In this very context, it would be proper on our part to refer to the monograph of Dr. T.G. Mainkar who in his book 'Some poetical aspects of the Ṛg-vedic Repetitions' has shown the various purposes such as inspiration and reflection (p-51), psychological and poetical motives (p- 56), imagery (p-63), magic, theology and aesthetics (p-80), etymological considerations

in alliteration and assonance (p-105), Homophony (p-103), structural classification of-repetitions (p-48), syntactical arrangement (p-49), universal urge (p-19), social and historical background (p-20), traditionalism and innate conservatism (p-12), evolution of conventions (p- 95) developing and declining personality of gods (p-76) etc.

It has been accepted on all hands that the time of the Śrauta and Gṛhya sūtra literature is regarded as 800 B.C. to 400 B.C. and the commentators of these sūtras have also made interesting observations particularly from the point of view of Punarvacana. In the Nārāyaṇa Vṛtti on the Āśvalāyana Śr. Sūtra I. 12, it is pointed out that the word 'dakṣṇiṇatah' is repeated only to clarify 'the nature[5] of the sacrificial act.' On the *Asv. Śr. Sūtra* II. 7 Nārāyaṇa further comments that the expression 'Praśnīyāt' is repeated only 'to put an end the relation of this sūtra with preceding one.' It should be noted in this context, that in the Nārāyaṇa Vṛtti on the *Āśv. Śr. Sūtra*, the repetition of the word is meanṭ 'to avoid the meaning or the act being compressed,.[6] On the *Āśv Śr. Sūtra* I.11, Nārāyaṇa has shown the 'great disparity'[7] as a purpose at the back of the repetition of a word. He further adds that the word 'eva' in the sūtra is indicative of repetition.[8] Karka (Probably 437 A.D.) on the *Kātyāyana Śr. Sūtra* 22.8.24 remarks that the purpose of repetition is only to indicate 'gender'. Rudradatta on the Āpastaṁba Śr. Sūtra III.10.2 points out that purpose of repetition here is to indicate the 'complete nature of the act to be performed.' Here it may be added that on this count, there is some resemblance between Nārāyaṇa and Rudradatta. Haradatta (1150-1300 A.D.) presupposes the relation between the Āpastaṁba Śr. Sūtra and the *Āpastaṁba Gṛhya* Sūtra and observes that the purpose of repetition here is 'to follow a particular principle till the completion of the act.' On the Āpastaṁba Gṛ. Sūtra VIII.23.5, he remarks that the preceding four sūtras are repeated here and the main purpose at the back of this repetition is to display 'that whatever act is laid down in the preceding sūtras is quite different[10] from the act that is laid down in the Succeeding sūtra i.e. the sutra under discussion. Sudarśana, the commentator of the *Āpastaṁba Gr. Sūtra* quotes the *Āp. Dharma Sūtra* II.5.11 on the Āp. Gṛ. Sūtra VII.17.13 and comments that the purpose of repetition is to show 'Guṇa[11]- Vidhi'

i.e. a subsidiary act. In the Nārāyaṇa Vṛtti on the Āśv. Gṛ. Sūtra 1.13.2, it is observed that the word 'dadhi' is repeated with the clear intention of showing that the dadhi is 'to be used in the sacrificial act that is at hand.' The acquisition of 'special[12] fruit', however, is stressed as a purpose at the back of the repetition in the *Āśv. Gṛ. Sūtra* III 3.1. At times, however, it is noticed that the word is repeated in the Āśv. Gṛ. Sūtra IV.2.2 for 'not laying down any restrictions' as such. In another context, however, the word is repeated particularly 'to lay down restrictions' on the Āpastaṁba Gṛ. Sūtra 1.1.12 as pointed out by Sudarśana. Rudraskanda on the *Drāhyayāṇa Gṛ. Sūtra* IV.3.16 and *Khādira Gṛ. Sūtra* IV.3.17 significantly remarks that the purpose of repetition is to put an end the connection of this sūtra with the preceding one. It should be noted here that this view of Rudraskanda agrees completely with the view point of Nārāyaṇa. Ādityadarśana on the *Kāṭhaka Gṛ. Sūtra* I.3.2 emphasises that the purpose of punarvacana is 'to bear in mind a particular important thing'. Maskari on the '*Gautama Dharma Sūtra* III.17 cares to stress that the purpose of repetition is to make the 'inclusion of a particular thing'. He further brings to light that the purpose of repetition is to give 'excessive importance' to the thing that is intended to be repeated particularly in his comments on the *Gautama Dharma Sūtra* XX.17.

The probable date of Jaimini, the author of the Pūrva-Mīmāṁsā Sūtra, is fixed by Mm.Dr. P.V. Kane as 200 B.C. to 200 A.D. The term 'Punarvacana' is used in Jaimini's *Pūrva-Mīmāṁsā* at three places only-11.4.15, VI.8.10 and XI.1.18. It is also worthy of note that the commentators like Śabara, Kumārila and others have failed to bring out the significance of this term particularly on the above mentioned places. It must be mentioned, in this very context, that Jaimini himself has pointed out the purpose of Punarvacana in the body of the sūtras by using the expression 'Punaḥ Śrutiḥ' in season and out of season in the body of the sūtras of *Pūrva-Mimāṁsā*. Thus, the subsidiary act is intended to be stressed in Jaimini's *Pūrva-Mīmāṁsā* I.2.41, II.4.29 and III.6.20 and X.8.32, the purpose of laying down an act (vidhanārtha) is emphasised at Jaimini's *Pūrva-Mīmāṁsā* IV.2.29 and VI.4.9, restriction is stressed in *Purva-Mīmāṁsā* IV.2.24, indication (lakṣaṇā) on the *Pūrva-Mīmāṁsā* IX.4.44, exclusion

(Parisamkhyā) at *Pūrva-Mīmāṁsā* VI.4.9 and I.2.42, indication of fruit at *Pūrva-Mīmāṁsā* II.3.26, difference in name, form etc. at II.4.8 and the glorification of an act at *Pūrva-Mīmāṁsā* II.3.29. Śabara on the Jaimini's *Pūrva-Mīmāmsā* II.4.16 has made the interesting observation that a thing is not said to be repeated simply because one and the same thing or the subject matter is discussed by many people. He also adds on the *Pūrva-Mīmāṁsā* III.6.2 that if the thing is unnecessarily repeated the only demerit arises in the form of 'impossibility.' Kumārila on the *Pūrva-Mīmāṁsā* I.2.41 points out the 'less glorious fruit' for the act that is intended to be repeated. It will be proper on our part to refer to the view point of Jaimini who holds in the *Pūrva-Mīmāṁsā* II.2.2 that when there is no purpose at the back of repetition, then the repetition becomes meaningless. The late Puṇḍita Kevalananda Sarasvatī in his· Mīmāṁsā Kośa' maintains that the punarkti or punarvacana can not be treated as a demerit.

It will be proper here to refer to some cases from Patañjali's *Mahābhāṣya* in respect of Punarvacana. The probable date of Patañjali is regarded as 150 B.C. In the *Mahābhāsya* III.3.12, the purpose of repetition is pointed out as an exception[15] to the exception. It may be noted that in Pūrva- Mīmāṁsā, the purpose of Punarvacana is served by the Mīmāṁsā technical term 'Pratiprasava' particularly in the sense of 'exception to the exception.' In the commentary Tatvabodhinī on the *Sidhānta Kaumudī* on Pāṇini I.i.41 it is shown that the purpose of repetition is to give the 'knowledge[16] of nitya things' to the readers.

It will not be a matter of surprise if the principle of Punarvacana is found in the Upaniṣadic literature. In most of the Upaniṣads, the repetition generally conveys the end of the section or the chapter of the Upaniṣad. Śankarācārya and Anantācārya in their comments on the *Iśāvasyopaniṣad* st 17. have shown 'respect' as the purpose at the back of the repetition.

In the works on Astrology also, the principle of Punarvacana is also found well appreciated. Utpala (850 A.D.) has shown in his comments[17] on the *Bṛhat-Saṁhitā* that the purpose of repetition is 'to remove the confusion in the mind of the students.' In the commentary 'Mārtaṇḍavallabhā on the *Muhūrta-Mārtaṇḍa* 1.5, it is pointed out that in this treatise whenever there is any repetition,

one is expected 'to recollect[18] or remember the thing' that is spread out in the different chapters in the course of discussion.

The importance of the repetition is also recognised by the commentators of the classical Sanskrit literature. Here a reference could be made to the commentary entitled 'Rasamañjarī of Purṇasarasvatī on the *Mālatī-Mādhavam* VI.18. Here the commentator Pūrṇasarasvatī points out on the celebrated stanza 'preyo mitraṁ bandhutā va samastā that the motivation at the back of repetition is to stress the firmness[19] of knowledge.

The motivation of Punarvacana also has an important role to play even in the domain of Alaṁkāra-Śāstra. The commentary 'Kāmadhenu' on Vāmana's *Kāvyālaṁkāra-Sūtra* considers repetition as a serious fault[20] or a demerit. Even Bhoja in his *Sarasvatī-Kaṇṭhābharaṇ* has made an interesting observation on the Mīmāṁsā technical term 'Punarvacana' from the point of view of the Alaṁkāra-Śāstra. The view point of Śrīvidyācakrartī on the *Alamkara-Sarvasva* is already referred to on the point at issue.

The principle of Punarvacana is also recognised even in the field of dramaturgy. Abhinavagupta (1020-1060 A.D.) has made an important observation[21] in his commentary 'Abhinavabhāratī on the Nāṭyaśāstra XXVIII.133. On the Nāṭyaśāstra IX.93, he, however, suggests that the purpose of repetition is to convey the import of the performance of an act. The similar use of – Punarvacana is also made in his comments on the *Nāṭyaśāstra* XII.40

Even Yaśodhara, the commentator of the Kāmasūtras of Vātyasyāna has appreciated the importance of repetition in the sense of respect. He, in his comments on the *Kāmasutra* I.2.5 emphasises the importance of the word 'seveta' in the sūtra by pointing out that here the motivation at the back of this repetition is to show the sense of 'respect'. It must be mentioned here that the purpose for which Yaśodhara has used repetition can not be treated as a novel one.

For the manifold uses of the technical term 'Punarvacana, one will have to refer to the varied Dharma-Śāstra literature. Here in order to bring to light some salient points of repetition, I restrict myself to the words of Kullūkabhaṭṭa, Devaṇṇabhaṭṭa and Nīlakaṇṭhabhaṭṭa. (1) Kullūkabhaṭṭa (1150- 1300 A.D.) in his commentary on the *Manu-Smṛti*, XI.172 significantly adds that here

the purpose of repetition is to emphasise the firmness[22] of prohibition. This point is already discussed at full length by the present author elsewhere[23] (2) (i) Devaṇṇabhaṭṭa (1126-A.D.) in his *Smṛiticandrikā* discusses the topic of the essential qualities of a minister and explains the significance of the word 'dvija', when already there is the use of the word 'vipra' in the text of Vyāsa. Here he specifically adds that if the brahmin minister fulfilling the adequate qualifications is not available, one may appoint the other persons from the Kṣatriya or the Vaiśya communities as the minister. Under any circumstances, however, no minister is to be appointed from the Śūdra community. Here the main purpose of Punarvacana is the exclusion of a Śūdra and the inclusion of the Kṣatriya and Vaiśya as the fit persons to be appointed as minister. Hence this can be treatẹd as a mixed[24] case of inclusion and exclusion. (ii) While discussing the topic of the rite of discharging urine, Devaṇṇabhaṭṭa quotes verses from the *Manu-Smṛti* IV.45-47, pointing out the places where one is not supposed to discharge one's urine. In the text of the *Manu-Smṛti*, we find the use of the expressions 'Parvate and parvatamastake.' While explaining the significance of this repetition, Devaṇṇabhaṭṭa refers to the opinion of the commentator of the *Manu-Smṛti* who holds that if a patient is unable to control his sense-organs, one is allowed to discharge one's urine even on the top of mountain. Normally one is not supposed to dischange urine on the mountain or on the top of the mountain. But in the present case under discussion a 'special concession' is given to a patient unable to exercise any control over one's own sense organs. Hence the main intention at the back of repetition is to give a special concession[25] to the suffering person. (iii) While discussing the topic of the rules to be observed by a brahmin invited for the Śrāddha ceremoney, there is the mention of the control over the speech and mind. In his comments on this portion, Devaṇṇabhaṭṭa quotes lines from the text to show that such a brahmin is not expected to make any signs or symbols by his hands. From this, it is evident that for resorting to Punarvacana, the textual authority is necessary. (iv) In his Āśaucakāṇḍa, Devaṇṇabhaṭṭa has also pointed out ' the laying[26] down of an act (Vidhana) as the purpose of repetition. (3) on his *Ācāra Mayūkha*, Nīlakaṇṭha (1600-1660 A.D.) has employed the

principle of Punarvacana to show the 'additional[27] fault.' He has also shown the same purpose of Punarvacana even in his discussion in the Saṁskāra Mayūkha P.53 and the *Samaya* p. 178 (iii) Nīlakaṇṭha has also utilised the principle of Punarvacana to glorify the importance of good qualities particularly in his *Nītī-Mayūkha*.p.60. (iii) While discussing the topic when deputy can not be appointed or given, Nīlakaṇṭha quotes verses from the Kātyāyana Smṛti in his *Vyavahāra Mayūkha* p.12. In one verse, the word 'steyam' occurs twice. The purpose of Punarvacana of the word 'steyam' is to show the absolute prohibition of an agent in all matters pertaining to theft. The present author has discussed this point in his article contributed elsewhere.

From the foregoing discussion, the following legitimate conclusions can be drawn.

(1) There is no unanimity of thought among the writers on the Pūrva-Mīmāṁsā and Dharma-Śāstra on the one hand and the writers on Nyāya-Śāstra and the Alaṁkāra-Śāstra on the other hand on the point of punarvacana.

(2) The writers on the Pūrva-Mīmāṁsā and Dharma-Śāstra hold that in the case of Punarvacana, the repetition should be purposeful; while the writers on the Nyāya-Śāstra and the Alaṁkāra-Śāstra are inclined to hold an altogether different view. They hold that the repetition in Anuvāda is purposeful and the repetition in panurvacana is meaningless.

(3) The position adopted by the Mīmāṁsakas and Dharma-Śāstra authors finds support from the writers on the other branches of learning noted above.

(4) The principle of Panarvacana is employed for the following purposes. (1) respect, (2) emphasis, (3) injunction, (4) restriction, (5) nature of an act, (6) putting an end to the relation of the former topic of discussion, (7) vast disparity, (8) indication of gender, (9) observance of a particular rule till the completion of the act, (10) different act, (11) to indicate subsidiary act, (12) acquisition of special fruit, (13) laying down restrictive conditions, (14) showing the absence of restrictive conditions, (15) bearing in mind a particular object or act or mantra, (16) inclusion of an object, (17) exclusion of a particular thing, (18) exception to exception, (19) showing anityatva, (20) removing confusion in the mind, (21) firmness of knowledge,

(22) firmness of prohibition, (23) special concession, (24) textual authority for some rules, (25) additional fault, (26) glorification of good qualities, (27) absolute prohibition, (28) vast expanse of prohibition, (29) end of a chapter or a section, (30) emphasis or stress on the words indicative of anuprāsa.

(5) It is further clear to the readers that the purposes for which the principle of Punarvacana is employed by the writers on Dharma-Śāstra and other branches of learning are quite different from the purposes for which this technical term is utilised by the author of the Pūrva-Mīmāṁsā Sūtras and also by Śabara and Kumārila in their comments on the same.

(6) From the above discussion, it is further evident that the motivations of Punarvacana have undergone evolution in different centuries and also at the hands of the different writers of the different branches of learning.

FOOT-NOTES

1. Also read: Mitākṣarā on the Yjñavalkya-Smṛti II. 1.
2. Anarthako'bhyāsaḥ punaruktam/Arthavan abhyāso anuvādaḥ/Nyāya Sūtra p.120 (Ganganatha Jha's edition, 1939).
3. Śabdārthasya ca punarvacanam anuvādātiriktaviṣaye dosaḥ/Sanjīvinī on Alaṁkāra-Sarvasva p.34.
4. Ākarasya punarvacanam ādarātham/Sāyaṇa-Bhāṣya on Ṛg. Veda VII – 7.2.
5. Dakṣiṇato iti punarvacanam āhavaniyasya dakṣiṇato na kriyamāṇasya karṁaṇaḥ ityevamartham/Nārāyaṇa Vṛtti on Āśv. Śrauta-Sutra I.12.
6. Also see:– Āśvalāyana Śrautasūtra p. 297.
7. Yājyādhikāre punar-ājya-grahṇam tṛtīya-śabdasya vailakṣaṇya-pradarśanārtham/ibid., p. 308.
8. Evakāraḥ paunarvācanikaḥ/Ibid., p. 324.
9. Buddhvā karmaṇi yat .... saṁbhāṣaṇānta snānakarma yathāsyāditi/ Āpastaṁba Gṛhyasutra. V. 2.14 p. 171.
10. Punaḥ siddhyarthavacanam asya karmāntaratvajñāpanārtham/ibid. p. 283.
11. Śucīn mantrayatḥ sarvakṛtyeṣu bhojayet iti siddhasya bhojanasya punarvacanam apūpādi-guṇavidhyartham/Sudarś'ana on Āp. Gṛhya Sūtra p. 219.
12. Rcatvādeva siddhe punarvacanaṁ phala-viśeṣa-siddhyartham/Āsv. Gṛhyasūtra p. 86.
13. Vedādhyāyī iti punarvacanam avadhāraṇārtham/Kāṭhaka Gṛhyasūtra p. 16.
14. Na ca ekaḥ arthaḥ bahubhiḥ ucymānaḥ punarukto bhavati/Śabara on Jaimini II. 4.16.
15. Anaḥ punarvacanam apavda-viṣaye' nivṛttyartham/Mahābhāṣya Vol. III para 291 (Abhyankar's edition).

16. Anityatva-jñāpanārtham punarvacanam/Tattva-Bodhini. P. 422 (Motilal Banarasidas, edition, 1949).
17. Rohiṇī yoge 'vāyuścaivaṁ dikṣu dhatte phalāni iti uktatvāt punaḥkaraṇam 'niṣpattiḥ agnikopaḥ' ityadikām śiṣyam bhrānti-nirāśaya kṛtamiti/Bṛhat-Saṁhitā, p. 364.
18. Tathā ihāsmin granthe kuhacit kutracit punaruktiḥ vartate sā tasya dūrāntaritasya smṛtiprāptaye smaraṇāya iti na doṣaḥ/Muhūrta-Mārtaṇḍa p. 5. (edition of Gondhalekar-sake 1816).
19. Vatsayoriti viditaveditavye' pi bālatvāt jnāna-dārdhyayā punaḥ punaḥ prabodhavyatvaṁ bodyayati/Mālatī-Mādhava p. 374, (Kerala University Publication, No. 170).
20. Sàbdārtha-paunaruktyaṁ prarūḍhah doṣaḥ/Kāmadhenu on Kavylaṁkāra-Sūtra p. 112. (Benares Sanskrit Series No. 134. 1907).
21. Punarvacanāt alpatartvamapīti mantavyam/Abhinavabhāratī. (Baroda - edition.).
22. Asapiṇḍa ca yā mātuḥ (3.5) ityanena niṣedhasiddau, dākṣinātyā-ācāra darśana aniṣedha-dārdhyārtham Punarvacanam/Man-Smṛti.
23. J.O.R. M.L.Kerala, Vol. XVIII Nos. 2 and 3, 1971.
24. Satyapi vipragrahaṇe punardvijagrahaṇamuktalakṣaṇvitābhve tat lakṣaṇm kṣatriyam vaiśyam vā sthāpayet/Na śūdramiti darśayitum/Smṛti-Candrikā-Vyvahārā-Kāṇḍa. Part I, p. 30 (Mysore edition).
25. Parvatagrahaṇenaiva tatra niṣedhe siddhe punaḥ parvatamastaka-grahaṇam atyantārtasya parvate na dosaḥ iti vaktuṁ ityuktam tad bhāṣye/ Smṛti-Candrika- Ahnika-Kāṇḍa p. 238 (Mysor edition).
26. Dāne tāvat annadānāt-anyatra-api ......kvacit sadyaḥ śaucavidhānārthaṁ punarvacanamiti na vaiyarthyam/Smṛti-Candrikā-Āśauca-Kāṇḍa p. 68 (Mysore edition).
27. Atra nodite ityanena ... punarvacanam dosādhikyārtham/Ācārā-Māyūkha p. 26 (Gujarati Printing Press edition, Bombay, 1915).

3

SOME EVOLUTIONARY ASPECTS OF VĀKYABHEDA

Traces out the evolution of Vākyabheda, a Mīmāṁsā technical term, in the light of different branches of Sanskrit learning.

Vākyabheda is a highly technical term in the Pūrva-Mīmāṁsā literature. It is generally translated as 'Diversity of statement' or 'Split in a sentence', or as 'double assertion'.[1] When in a single sentence, the two injunctions or vidhis are laid down, then this fault of Vākyabheda arises. It is important to note here that the Mīmāṁsakas look upon Vākyabheda as a serious fault and try to avoid it by resorting to several measures.

In this paper, therefore an attempt is made to bring to light some evolutionary aspects of this highly technical term in the light of the several disciplines of Sanskrit learning. Roughly speaking the evolution is traced from 500 B.C. to 20th century A.D. It will not be out of place if it is casually remarked here that the authorties quoted here are only illustrative and the dates for the authorities are generally taken from Mm. Dr. P.V. Kane's *History of Dharma Śāstra* and Prof. K.V. Abhyankar's Prastavana Khāṇḍa of the Mahābhāṣya, unless otherwise mentioned.

The survey of the grammatical works would be interesting in tracing the evolution of this highly technical term.[2] At the very outset it may be remarked that the term 'Vākyabheda' is conspicuous by its absence in Pāṇini' *Aṣṭādhyāyī*. However, it must

be pointed out here that Patañjali (150 B.C.) has used the principle of Yoga-Vibhāga to justify the formation of some of the words in interpreting the sūtras of Pāṇini. Yoga-Vibhāga actually means the principle of the division of Sūtra. The term Yoga-Vibhāga comes vey near to the principle of Vākyabheda employed by the Mīmāṁskas. The use of the principle of Yoga-Vabhāga is treated as a very unhappy measure by the grammarians. Even Kaiyaṭa (1100 A.D.) has come to look upon the vārtikas of Kātyāyana (300 B.C. to 200 B.C.) as serving the purpose of Yoga-Vibhāga. It is interesting to remember here that though Prof. K.V. Abhyankar has pointed out in his '*Dictionary of Sanskrit Grammar*'[3] the use of Vākybheda as a serious fault, later grammarians and particularly Bhattojī Dīkṣita. Jñānendra Sarasvatī, Nāgeśạ and even Nārāyaṇabhaṭṭa do not look upon it as a fault. On the contrary, they used Vākyabheda as an effective weapon to interpret some of the sūtras of Pāṇini and thereby to justify the formation of some of the words. This point can be best illustrated by drawing the attention to the *Siddhānta Kaumudī* in which Bhaṭṭojī Dikṣita has explained P.A. VI.1.94 by making the *anuvrtti* of 'Vā *supi* from P.A. VI.1.92 and has resorted to Vākyabheda for explaining the sūtra. Even Vāsudeo Dīkṣita, sees no fault in resorting to Vāyabheda, though at some places,[4] he is cautioning the readers about Vairupyalakṣaṇa-Vākybheda. It is further interesting to remember that Nāgeśa (1670-1750 A.D.) in his *Paribhāṣenduśekhara* has a paribhasa No. 13 in which he has explained[5] Pāṇini's *Aṣṭdāhyāyī* Sūtra 'Ṣaṣṭhi sthāne yogā and *'sthane' ntaratamaḥ'* by resorting to the principle of Vākyabheda. Here he, thereby, suggests that in order to understand this sūtra, we should make the anuvṛtti of sthāne and thus two sentences[6] can be formed.

It is also surprising that the lead taken by Bhaṭṭojī Dīkṣita and others is also upheld in the commentary[7] 'Prakāśikā' on the *prakriyā kaumudī* of Nārāyaṇabhaṭṭa. All this survery leads to the irresistible conclusion that the grammarians do not look upon Vākybheda as a fault; but they even go to the extent of treating it as an effective measure in the formation of grammatical forms even by breaking the sūtras of Pāṇini.

The probable period of the Śrauta and Gṛhya Sūtra literature is regarded as 800 B.C. to 400 B.C. The commentators of the sūtra

literature have expressed divergent views in the matter of Vākyabheda. Sudarśana,[8] the commentator of the Āpastaṁba Gṛhya Sūtra, holds that there is no fault in resorting the Vākyabheda in interpreting the Sūtra literature. In the 'Nārāyaṇavṛtti'[9] on the *Āśvalāyana Śrauta Sūtra*, however, Vākyabheda is looked upon as a demerit. Karka whose date is taken by some scholars to be 380 Samvat i.e. 324 A.D., considers Vākyabheda as a fault.

Someśvara (1100 A.D.) in his comments on the *Tantravārtika* remarks[14] that when *an injunctive* sentence is attributed many senses, it becomes a case of Vākyabheda.

Śankarabhaṭṭa (1540-1600) significantly observes[17] in his *Mīmāṁsā Bāla Prakāśa* that in the case of a deficient thing or act, if something more is imagined, even then it would incur the fault of Vākyabheda.

As regards the varieties of Vākyabheda, it is important to note here that in the Nyāya-Sudhā on the *Tantravārtika* p. 852 we get that type of Gauravalakṣaṇa Vākyabheda. But it is Śankarabhaṭṭa who has pointed out three types of Vākyabheda – Āvṛttilakṣaṇa, Vibhāgalakṣaṇa and Vairupyalakṣaṇa. It is further interesting to remember that he has also pointed out further varieties of the above mentioned three categories. M.M. Vasudeosastri Abhyankar in his commentary Prabhā on the Mīmāṁsā-Nyāya-Prakāśa has pointed out two varieties of Vākyabheda-Khaṇḍalakṣaṇa Vākyabheda and Gauravalakṣaṇa Vākyabheda. He shows that Khaṇḍalakṣaṇa[19] Vākyabheda occurs when in a sentence consisting of so many words, after joining some words together we get one meaning and after joining other remaining words together, we get another meaning. We get the example of the Gauravalakṣaṇa[20] Vākyabheda when collecting together whatever words occurring in a sentence, we derive one meaning of the whole sentence. Again all the words in a sentence or some words in a sentence indicate another different meaning of the whole sentence. The learned Śāstrī further points out the other possibilities when the fault of Vākyabheda arises. e.g. (1) When in a single sentence, we have two subjects and one predicate, we incur the fault of Vākyabheda.[21] (2) In a single injunctive sentence, if there is one subject and the predicates are two, our interpretation suffers from the fault[22] of Vākyabheda. (3)

If, however, in an injunctive sentence, there are two uddeṣya portions and one vidheya portion, even then the interpretation would not be free from the fault[23] of Vākyabheda.

In the *Saṅkarṣaṇa*[24] *Kāṇḍam* III.1.16, it is said that when with reference to a thing or act which is available, time, material etc. several factors are laid down, then the interpretation suffers from the fault of Vākyabheda.

The writers on Vedānta Sūtra have also contributed to the evolutionary aspect of Vākyabheda. Śankarācārya (788 A.D. to 820 A.D.), the celebrated commentator of the Vedānta Sūtras of Bādarāyaṇa, has tried to remove the fault of Vākyabheda brought in by the opponent in the discussion on the Vedānta Sūtra III.V.14. Here the discussion in the Śānkarābhāṣya implies that if many purports could be found in respect of a single śruti vākya, then the fault of Vākyabheda does not at all arise. One will not be far from the truth if one imagines that when great Ācārya in his comments[25] on the Vedānta Sūtra II.4.3 points out the Vairūpya Prasanga on account of understanding one and the same word in two different senses in a single sentence. He is possibly hinting at the another variety of Vākyabheda later on properly explained by Śankarabhaṭṭa in his *Mīmāṁsaā-Bāla-Prakāśa*. It is important to note in this context that Madhusūdanasarasvatī (1490 A.D. to 1580 A.D. according to Dr. P.M. Modi) in his commentary Siddhānta Bindu on the Daśaslokī of Śankarācārya, remarks that if we accept two purports [25] of the two śruti vākyas in respect of the three-fold evolution of the world and five-fold evolution of the world, then our interpretation would suffer from the fault of Vākyabheda. M.M. Vasudeosastri Abhyankar in his commentary 'Binduprapāta' on the *Siddhānta-Bindu* clarifies this point by showing that if we accept two-fold purports of the theory of evolution[26] of the world, then our interpretation would suffer from the fault of Vākyabheda.[28] From these two examples, it would be fair to conclude that the fault of Vākyabheda occurs in the Vedānta literature, particularly when two purports are pointed out for same śruti vākya. Here the emphasis is shifted from Vidhi–injuction to the purport.

The writers on Alaṁkāra Śāstra have also an important contribution to make to the Mīmāṁsā technical term 'Vākyabheda'. Jayaratha (12th century A.D.) on the *Alaṁkāra Sarvasva* introduces

two varieties[29] of Vākyabheda-Śābda and Ātha – and tries to illustrate[30] the same. In his context, it should be remembered that Jagannatha in his *Rasagangādhara* has before his mental eye above discussion of Jayaratha on the *Alaṁkra Sarvasva*. Śrī Vidyācakravartin makes an interesting observation[31] on the Vākyabheda to the effect that when there is Vākyabheda, there is some strikingness. In his further comments on the *Alaṁkāra-Sarvasva*, he remarks that the mention[32] of Vākyabheda here is to show the prāthamikabhedadvaya. Hemachandra (1150 A.D.) has written his own gloss on the *Kāvyānuśāsana* and in his gloss he introduces another variety[33] of Vākyabheda which is known as Abhyāsalakṣaṇa Vākyabheda. This kind of Vākyabheda arises, according to him, in the Upama Alamkara particularly when the gender of the object of comparison is changed and the language is also worded slightly differently and the connection is established with the Upamana i.e. the standard of comparison. Any dispassionate reader of the Alaṁkāra Śāstra would be tempted to advance the view that this kind of Abhyāsalakṣṇa Vākyabheda has no place in the Mīmāṁsā literature. Vaidyanātha Tatsat (1684 A.D.) has written a commentary on the *Kāvyapradīpa* of Govinda Ṭhakkur. In the commentary on the *Kāvyapradīpa*, he observes[34] that when in a stanza, the prominence is given to the two incidents, then only the interpretation suffers from the fault of Vākyabheda. Any one would note here that the Mīmāṁsaka's emphasis of two injunction in Vākyabheda is here shifted by the Ālaṁkārikas to the two incidents as giving rise to the fault of Vākyabheda. This view of Vaidyanātha Tatsat appears to be incomplete agreement with the view point of Jagannatha (1620-1660 A.D.) who in his discussion on the Alaṁkāra Samāsokti clearly remarks that the fault of Vakyabheda arises as a result of giving prominence to two senses in one and the same stanza. Jagannatha has also given us the example of Vākyabheda based on Artha in his exposition[35] on the stanza abhiramata sadanam etc. It is further interesting to draw the attention of the readers to one more important authority on Alaṁkāra- Śāstra. Vidyānātha has written the work entitled *Pratāparudrīya*. Kumārswāmī, the son of the illustrious commentator Mallināthā, has written a commentary on the same. In his commentary on the *Pratāparudrīya*, he significantly

remarks[36] that there can be a fault of Vākyabheda in a single sentence, when on account of the difference in activities the different meanings can be advocated. This is indeed the important observation from an Ālaṁkārika on the point of Vākyabheda. All this survey of the important authorities on the *Alaṁkāra Śāstra* would help one to reasonably conclude that writers on Alaṁkāra Sāstra have made a definite and significant contribution to the thought of Vākyabheda so propounded by the Mīmāṁsakas.

The following discussion would further reveal that the commentators on the *Nāṭyaśāstra* and dramas also have important views to express on the point of Vākyabheda. Here the attention may be drawn to the commentary of Abhinavagupta (1030-1070 A.D.) on the sixth chapter of the *Nāṭyaśāstra*. Here he does not look on Vākyabheda as a fault. He further goes to the extent of justifying[37] his stand-point by quoting the *Raghuvaṁśam* VIII. 95 in which also there is the fault of Vākyabheda. Possibly Abhinavagupta does not look upon Vākyabheda as a fault in the poetry portion. In this respect, it may incidentally remarked that the Marathi translation[38] of the term 'Vakyabheda' in the commentary of Abhinavagupta as offered by Prof. R.P. Kangle as 'in other words' is not acceptable since it does not bring out the Mīmāṁsā sense intended to be conveyed by the great Abhinavagupta. Here one may draw the attention of the readers to the commentary[39] of the anonymous commentator of the *Śākuntalam*. This is published as *Abhijñāna Śākuntala* carcā by the University of Kerala. As remarked by the editor of this commentary, the anonymous commentator belongs most probably to the 16th century A.D. In his comments on the well-known line from the *Śākuntalam* act I, he remarks that here Kālidāsa has suggested that the deer of the hermitage is not to be killed by using the principle of Vākyabheda. According to him, the well-known line[40b] from the *Śākuntalam* can be split up as follows:-

He also refers to the view point of another commentator of the *Śākuntalam* as Ṭippaṇakāra[40] who also understands Vākyabheda in interpreting the line from the Śākuntalam, for which I invite the attention of the readers to the foot-note. From this discussion it goes without saying that the commentators of the *Nāṭyaśāstra* and dramatic literature and poetry do not look upon Vākyabheda as a

fault. To put it in other words, even if the dramatist or the poet incurs the fault of Vākyabheda, it is not to be taken seriously.

The writers on Astrology have also an important view to contribute to the technical term Vākyabheda. Here the attention may be drawn to the commentary of Govinda on the *Muhūrta-Cintamaṇi* V.45. This commentator belongs to the 17th century A.D. He made an interesting observation[41] that when the syntactical connection is possible between the two sentences, resorting to Vākyabheda is a (positive) demerit. In other words, when the syntactical connection is possible to be established between the two sentences, one should not resort to the fault of Vākyabheda. In fine, syntactical connection is regarded as an effective weapon to avoid the fault of Vākyabheda.

For the illuminating contribution to the effective remedies against Vākyabheda, one will have to consult the important commentaries on the smṛti works and digest authors. Here one may draw the attention of the readers to the commentary[42] of Medhātithi (825 A.D. to 900 A.D.) on the *Manu-Smṛti* II.32. Here Medhātithi clearly implies that twice utterance of the verbal portion gives rise to the fault of Vākyabheda. He further adds that Vākyabheda is a case of Gaurava and not of lāghava. Medhātithi in his comments on the *Manu-Smṛti* III.68 remarks that if this text is taken as a case of prohibition then it may give rise to the fault[43] of Vākyabheda. For this purpose, he connects the *Manu-Smṛti* III.68 with the *Manu-Smṛti* III.69 conceptually and states that the flaw of Vākyabheda could be avoided only by conceptually joining the two passages of the *Manu-Smṛti*.

In the field of Dharma-Śāstra, I also refer to the digest author Nīlakaṇṭha (1600-1660 A.D.) who in his discussion in the *Vyavahāra Mayūkha* and *Śrāddha Mayūkha*, avoids the fault of Vākyabheda by resorting to different effective remedies. The point can be best expounded by citing some good cases. Nīlakaṇṭha in his discussion in the 'Vyavahāra Mayūkha' finds fault with Vijñaneśvara (1100-1200 .A.D.) in interpreting the *Yājñavalkya-Smṛti* II.114 as laying down two vidhis. Nīlakaṇṭha removes[44] the fault of Vākyabheda incurred by Vijñāneśvara by understanding the second line of the *Yajñāvalkya-Smṛti* II.114 as an elaboration of the idea of the first line. (2) when the Dāyabhāga school of interpretation incurs

the fault of Vākyabheda in interpreting the *Manu-Smṛti* IX.142, Nīlakaṇṭha tries to avoid the fault by taking[45] the words gotra, riktha etc. in the secondary senses. (3) He also finds flaw in interpreting the text of Bṛhaspati as laying down injuctions particularly on the part of Vijñāneśvara. Here he suggests that the text of Bṛhaspati lays down only one injunction that the reunion takes place only among those members who were parties to the original partition. The mention of father, uncle and brother etc. in the stanza of Bṛhaspati is only serving the purpose of Upalakṣaṇa. In the opinion of Nīlakaṇṭha, therefore, a reference to these relations is only illustrative. Thus, Upalakṣaṇa[46] has served as an effective weapon against the flaw of Vākyabheda. (4) In his discussion in the *Śrāddha Mayūkha*, he also avoids the fault of Vākyabheda in interpreting the verses from the *Kātyāyana Smṛti* by taking the circumstances[47] under which a person is competent to perform the Śrāddha ceremony particularly when the father is alive and when he would have given rice-balls to the dead ancestors. Here he has used the point of circumstances as a remedy against the flaw of Vākyabheda.

One who is a good student of Pūrva-Mīmāṁsā will be curious to know the importance of this highly technical term in the domain of law. In this context, it would be important to draw the attention of the readers to the view point of MM. Dr. P.V. Kane. He held that the judges during the British regime should possess the adequate knowledge of the science of the Pūrva-Mīmāṁsā and the rules of interpretation. The learned doctor has further shown[48] that the decision of the Bombay High Court in interpreting the text of the *Manu-Smṛti* IX.142 as laying down two injunctions – (1) A person adopted into another family will not take the wealth of his natural father or any one in that family after adopting; and (2) A person adopted into another family looses or forfeits on adoption wealth that he may have already taken absolutely in the natural family as a member of the family before adoption–suffers from the flaw of Vākyabheda. Dr. Kane advises that such faults should be meticulously avoided by the judges. After the dawn of independence and particularly when the Hindu Law was codified, it must be admitted that the importance of the smṛti works and commentaries and digest works was considerably decreased and this

naturally resulted in throwing this highly technical term of the Mīmāṁsakas into oblivion.

In conclusion, after the thoughtful consideration of the above interesting points from the different branches of Sankskrit learning, one would be perfectly justified in drawing the following legitimate conclusion only to show how the evolution has taken place in the use, varieties and application of the Mīmāṁsā technical term Vākyabheda.

(1) Vākyabheda is looked upon as a fault by the writers on Pūrva-Mīmāṁsā, Dharma-Śāstra, Vedānta, Jyotiṣ, Alaṁkāra and the commentators of the Śrauta Sūtra literature.

(2) The grammarians do not look upon Vākyabheda as a fault and try to use it as an unfailing weapon to interpret some of the Sūtras of Pāṇini to justify the formations of some words.

(3) The commentators of the Gṛhya Sūtra literature, *Nāṭyaśāstra* and dramas do not look upon Vākyabheda as a fault in interpreting the sūtra literature, dramaturgy and dramatic literature and poetry.

(4) The emphasis of the Mīmāṁsakas as two injunctions necessary to constitute the flaw of Vākyabheda is shifted by the Vedāntins to two purports of a single Śruti vākya and the Alaṁkārikās have shifted to the two prominent senses in one and the same stanza.

(5) The Ālaṁkārikās have introduced the three varieties of Vākyabheda-Śābda, Ārtha and Abhyasalakṣaṇa, though Śabara and Kumārila the giants of the Mīmāṁsakas were conscious of the Ārtha type of Vākyabheda.

(6) The writers on Dharma-Śāstra and Astrology use the effective weapons of syntactical unity, Upalakṣaṇa, secondary meaning of the words, elaboration of the idea in the first line to be found in the second line, Lakṣaṇā and the special conditions against the flaw of Vākyabheda.

(7) The importance of the highly technical term Vākyabheda of the Mīmāṁsakas was stressed and recognised in deciding the cases of Hindu law during the British regime.

(8) The Mīmāṁsā technical term 'Vākyabheda' is thrown into oblivion after the dawn of independence and particularly when the Hindu law was codified.

(9) However, the importance of this technical term is admitted by the scholars of the different disciplines of Sanskrit learning.

FOOT-NOTES

1. P.M. Modi - Translation of Siddhānta-Bindu. p. 109.
2. S.D. Joshi and J.A.F. Roodbergen - Vyākaraṇa-Mahābhāṣya Tatpuruṣānhika-introduction p. xix.
3. K.V. Abhyankar - Dicionary of Sanskrit Grammer p. 346.
4. Tattva-bodhinī on Siddhānta-Kaumudī. pp. 28,82 etc.
5. Wadegaonkar - Paribhāṣendu-Śekhara-Marathi Translation p. 46.
6. Sthāne antaratamaḥ bhavati/sthanena yaḥ antaratamaḥ sa eva bhavati/7. Prakāśikā on Prakriyā - Kaumudi p. 50.
8. Na tu sūtre vākyabhedo doṣaḥ/Tātparyadarśana on Apastamba Gṛhya-Sūtra I.i.12 P. 15.
9. Āśvalāyana -Śrauta-sūtra p. 439.
10. Yadi mantranivṛttiḥ vidhīyeta, vākyam bhidyeta/Kātyāyana Śrauta- Sūtra Vol. II. p. 147.
11. Aneka-guṇa-vidhānāt vākyabhedaḥ/
12. Ubhaya-vidhāne Vākyabhedaḥ/
13. Arthabhedāt vākyabhedaḥ/
14. Arthabhedanimittaḥ vākyabhedaḥ/
15. Aneka-sambandha-karaṇāt vākyaṁ bhidyeta/
16. Viśiṣṭa-anuvādo vākyam na bhinatti/
17. Anekārthavidhilakṣaṇaḥ vākyabhedaḥ/Nyāya-Sudhā p. 931.
18. Nyūnasya adhikārya-viṣayatva-kalpane vākyabhedadoṣo yathā Sauryaṁ carum nirvapet brahmavarcasakāmaḥ/Mīmāṁsā-Bāla-Prakāśa. p. 3.
19. Prabhā on Mīmāṁsā-Nyāya-Prakāśa p. 57.
20. Ibid. p.57.
21. Evam ca uddeṣya-dvaye vidheya-aikye vākyabhedaḥ/Ibid. p. 233.
22. Uddeśya-eikye vidheya-dvaye ca vākyabhedaḥ/Ibid. p. 233.
23. Evam ca uddeśya-dvaye vidheyadvaye ca vākyabhedaḥ spaṣṭah eva/Ibid p. 233.
24. Prāpta-Uddeśena kāla-dravyādi-aneka-guṇa-vidhāne-. vākyabhedaḥ/ Saṁkarkṣṇakāṇḍam III.1. 16.
25. Na hi ekasmin prakaraṇe ekasmin ca vākye ekaḥ śabdaḥ sakṛt-uccarito bahubhiḥ saṁbadhayamānaḥ......vairūpyaprasangāt/Śānkarabhāṣya on Brahma-Sūtra. II. 4.3.
26. Trivṛtameveti tat kalpanāyām vākyabhedaprasangaḥ/Siddhānta-Bindu p.102.

27. CF:- R.D. Karmarkar-Śankara's Advaita-pp. 34-35.
28. Athavā tātparyadvayam matvā pravrttiḥ svīkriyate/.....Tṛtiye tu sutarām vākyabhedaḥ iti bhāvah/Bindu-Prapāta on Siddhānta-Bindu p. 103.
29. Sa ca vākyabhedaḥ śābdah ārthaḥ ca/Alaṁkāra-Sarvasva pp. 39-40.
30. Ganga bhaktıvad bhaktiśca gangāvad vandyā iti asti eva artho Vākyabhedaḥ/Ibid p. 40.
31. Sā camatkaratā ca sati vākyabhede syāt/Alaṁkāra-Sarvasva p. 65.
32. Vākyabhedagrahaṇam prāthamika-dvaya-prathanāya/Ibid. p. 64.
33. Kāvyānuśāsana p. 186.
34. Vṛttānta dvaya-prādhānye hi vākyabhedaḥ syāt/Kāvyapradhīpa p. 140.
35. Dvi-pradhānatvena vākyabhedascāpadyeta/Rasagangādhara, p. 497.
36. Jagannatha reads-ārthe tu vākyabhede before the stanza 'Abhirāmatā sadanamambujānane-Rasagaṅgādhara p. 263.
37. Nanu ekasmin vākye vyāpārabhedena-aneka-artha-pratipādane vkyabhedadoṣaḥ syat/-Ratnapaṇa on Pratāparudrīya p. 36.
38. Ata eva sukavina vākyabhedenāpi maraṇamākhyatam/Nāṭya Śāstra- Chapter VI. p. 307.
39. Nāṭya-Śāstra-Chapters VI and VII.
40a. Abhijañna-Śākuntala-Carcā-p. 33.
40b. Asrama-mṛ goyam/ii) Ato no hantavyaḥ/
41. Ṭippaṇakārastu tat sadhu tat evay uktam iti vākyabhedena vyācasta/Ibid. p. 33.
42. Saṁbhavati ekavākyatve vākyābhedo hi dūṣaṇam/iti Vākyabheda-anāpetteḥ/Mahūrta-Cintāmaṇi p. 213.
43. Vākyabhede hi dvirākhyāta-uccaraṇam/Tad guru bhavati/Medhātithi on Manu-Smṛti II. 32.
44. Pratiṣedhaparatve vākyabhedaḥ syāt/Medhātithi on Manu-Smṛti III. 68.
45. Vyavahāra-Mayūkha p. 115.
46. Aicchikavibhāga eva vivṛta uttarārdhena/Vākyabhedāpatteḥ/Ibid p. 47.
47. Pitrādipadāni tu vibhāgakarṭrmātropalakṣakāṇi/Anyathā Vākyabhedāt/Ibid. p. 146.
48. Also see-Śrāddha-Mayūkha p. 430.
49. History of Dharma-Śāstra Vol. III, p. 694.

4

SOME EVOLUTIONARY[1] ASPECTS OF ŪHA-SUBSTITUTION

Ūha means substitution. This is a wider concept of the Mīmāṁsakas. The term 'Ūha' is variously translated as 'modification, or change or substitution.' It is worthy of notice that the other terms redaction, adaptation etc. come very close to the term of the substitution.[1] In this article, therefore, an attempt is made to trace the origin and development of this highly technical term from the days of the Ṛg-veda to the modern days and particularly its position in the western jurisprudence. Incidentally, an attempt is also made here to show its different varieties and the purposes for which this principle is utilised by the writers of the different disciplines of sanskrit learning and also by the writers of western jurisprudence. This will help to prove my thesis that the science of Pūrva-Mīmāṁsā is essentially evolutionary.

As pointed out by R.N. Dandekar, the principle of substitution[2] is to be noticed in the soma plant on the part of the vedic Aryans particularly when they migrated from the region of Balkh to the region of Sapta Sindu, for the use of the plant 'Haoma' available to the ancestors of the vedic Aryans on the top of the mountain 'Mūjavat'. When, however, the Vedic Aryans did not find any plant suitable to take the position of the plant 'Haoma', they called that

plant as Soma, treating it as resembling the qualities of Haoma in a very large measure. 2) One also comes across this aspect of substitution[3] particularly when, as pointed out by R.N. Dandekar, the vedic poet priests admitted into the Vedic pantheon the deities like Viṣṇu, Pūṣan, Rudra etc. of the local people here in India on account of the heavy pressure of circumstances. In doing so, they dropped those qualities of these deities which they did not like and-ascribed some additional qualities to them so as to suit their own requirements. (3) One also notices this aspects of substitution, particularly in the composition of the Vedic poets who in their spirit of competition, substituted expressions of their own in praising a particular deity or describing a particular situation, for the expressions which are already used by the vedic poets who are senior to them – chronologically or who may be even contemporaneous with them. This point could be illustrated by quoting a famous vedic[4] mantra 'Jīveta śaradaḥ śatam' which is changed by the poets of the different Maṇḍalas to suit their own ideas. 4) V.G. Rahurkar has shown that the Ṛg-Veda[5] is mantra first transformed into Sāmayonī mantra merely by changing the method of marking the accents. In a Sāmayonī mantra, the udatta is indicated by the figure 1 placed above the syllabie, the svarita by the figure 2 and Anudatta is indicated by the figure 3. This Sāmayonī mantra is then worked upon by the Svaramaṇḍala and six sāmavikaras and is thereby *rendered* into a proper Sāman. It is due to this that the Sāma-Veda is essentially known as a derivative literary product. 5) H.D. Velankar has shown in his introduction[6] to the Seventh Maṇḍala of the Ṛg-Veda that what is originally a proper name given to or received by an individual of a family owing to certain pre-eminent qualities possessed by him, becomes in course of a time a common name, a surname, a family name of his descendants even to-day. This is how the family name like Āpastaṁba, Gotama or Āśvalāyana must have originated. He further adds that the Vasiṣṭhas were known as Tṛtsus before the advent-of the great Vasiṣṭha or in other words, Tṛtsu was the earlier name of the family of Vasisthas. This was, then, supplanted by a later name Vasiṣṭha which it received owing to the great eminence attained by one of its members who was known as Vasiṣṭha. 6) G.V. Devasthali has shown[7] the aspect of substitution or adaptation

in the Ṛg- vedic language particularly noted by Hemacandra in his Prakṛta Vyākarana. He further adds that in the Śauraseni dialect, tasmāt is substituted by tā (Hemacandra IV. 278 with RV.X.95.16) Here it may be noted in passing that Devasthali has used the term prākṛtism in the sense of the close correspondence of some words in the veda with their counter parts in the prākṛts.

II. From the story of Śunaḥśepa in the Aitareya Brāhmaṇa, Dumezil points[8] out that there was a practice of maintaining some men on the part of a king in ancient India, who could serve as substitutes to be immolated for removing the natural dangers such as famine, epedemics etc, and also for reviving the life of nature. He further adds that this practice of substitution is also found in the primitive practice of immolation of a man to renew the worn out life in nature.

III. R.N. Dandekar has pointed out in his article on 'the origin and growth of the Mahābhārata' that the jaya portion of the Mahābhārata represents the Sūta-tradition describing the dissension between Kauravas and Pāṇḍavās, loss of kingdom of the Pāṇḍavas and Jaya. Here the bards patronised by both the Kauravas and pāṇḍavas produced ballads. But when the Jaya was transformed into the Bhārata, the Kṛṣnite redactors showed the association of Pāṇdava heroes with Kṛṣṇa as a guide, friend and philosopher. Kṛṣṇa's personality was grown into divinity and the Bhagvadgītā epitomises the religious, ethical and metaphysical teachings of Kṛṣṇa. This Bhārata portion shows the Kṣatriya impact and reaction against the brahmanism. But when the Bhārata was transformed into the Mahābhārata, it seems that the compromise took place between brahmanism and Kṛṣṇaism. Here in the third stage, the heroes of the epic are shown as defenders of brahmanic faith and culture. Kṛṣṇa is shown as an incarnation of god. Here the brahmanisation process shows the bias in favour of Bhārgavas. That is why V.S. Sukthankar calls it as Bhṛguisation[9] of the epic. N.J. Sheude[10] also shows this as Angirasisation of the epic. Dandekar, however, adds that the brahmanisation of the epic is not an artistic redaction but a flagrant interpolation. All the above points reveal to us that the concept of substitution has undergone a very important phase in the growth of the epic and this particular colouring of the epic at the hands of several redactors will have to

be treated as a very powerful use of the concept of the substitution. Hence the present author is constrained to remark that the principle of redaction comes very close to the concept of Ūha-substitution which is utilised by the Mīmāṁsakas for the purpose of sacrifices. Perhaps the powerful substitution can be treated as a case of redaction. The same phrase may also be noted even in the case of another epic–the Rāmāyaṇa.

IV. Coming to the grammatical works, it is observed that Pāṇini has used the term Ūha in the sense of substitution. He has, however, virtually followed the principle of Ūha in his Ādeśas in respect of the case termination,[11], terminations to be added to the pronoun, substitutes[13] for the preceding vowel in a sandhi, substitute[14] for the last vowel of the first member of the compound, substitute[15] to the second member of the compound of the Bahuvrīhi type, substitute[16] for vikaraṇas, etc. The proximity is of four types and is based on Pāṇini's Aṣṭādhyāyi Sūtra 'Sthāne' ntaratamaḥ. (2) The idea of substitution[17] is also noticed in the Vārtikas of Kātyāyana, particularly when the latter thinks it fit to expand, modify, or contract the scope of the sūtra of Pāṇini. At times, he also intends to correct the mistake[17] on the part of Pāṇini, because of the changes that have taken place in the language right from the days of Pāṇini to Kātyāyana. (3) Patañjali in his Mahābhāṣya[18] shows the use of the term 'Ūha' to show the purpose of the vedic recitation of the mantras, enabling the Yājñikas to introduce suitable changes in the original mantras to suit the particular occasion. 4) Bhartṛhari in his Mahābhāṣya-dīpikā has shown that substitution[19] has no scope whatsoever in respect of the subsidiary acts, relations, names, similes etc. 5) Puṇyarāja, however, remarks[20] that Ūha indicates the change in number, case and gender. We have also the paribhāṣā[21] No.11 pointing out that substitution takes place only for that portion of the word which is actually mentioned in the Sūtra. We are further enlightened by another paribhāṣā[22] which means that when there are several substitutes available for only one, there the substitution in respect of the organs of speech is weightier than other kinds of proximity. This paribhāṣā is certainly based on Pāṇini's Aṣṭādhyāyī Sūtra 'Sthāne' ntaratamaḥ. All this survey of the grammatical literature clearly indicates that the grammarians have used the principle of

substitution for giving us grammatically correct forms and also the places where such substitutes are to take place.

V. It would be interesting to make the survey of the Śrauta Sūtra literature. In the Bhāradvāja Śrauta Sūtra VI.15.9, it is remarked that the modification is to be determined on the ground of similarity. The expression 'sāmānyāt' in the above text is taken in the sense of similarity. Even Govindananda (1550 A.D.) on the Śānkarabhāṣya[23] on the Brahmasūtra III.3.46 takes the word 'sāmānya' in the sense of resemblance. This simply suggests that for modification or adaptation or substitution, similarity is treated as a good ground. The Bhāradvāja Śrauta Sūtra VI.15.7 observes[24] that if a substance in the prakṛti yāga is substituted by the different one in a modification (Vikṛti) sacrifice, then the latter attains the character of the former. e.g. The Śyāmāka grains attain the character of a paddy. In the Bhāradvāja Paitṛmedhika Sūtra I. 11. 14-15, it is said that if the collyrium from the Trikakuda mountain is not available to women, then women should apply any other collyrium. 2) Dhūrtaswāmī in his Bhāṣya on the Āpastaṁba Śrauta Sūtra VIII.13.6 remarks that substitution[25] has proper scope in a sentence in which the word is put in a dative case. 3) Rāmāgnicit in his Vṛtti[26] on the Āpastaṁba Śrauta Sūtra VIII.13.6 points out a case where there is no scope for substitution and in this case he holds that the mantras connected with gods are not to be substituted in place of Soma and pitṛs who have not been accepted as gods. 4) Rāmāgnicit in his Vṛtti on the Āpastaṁba Śrauta Sūtra IX.17.9 observes[27] that Ūha is possible only when the prakṛti yāga is connected with the Vikṛti yāga and it will not be possible by bringing about the syntactical connection of the words in the direct statement. 5) It is further interesting to note that Rāmāgnicit in his Vṛtti on the Āpastaṁba Śrauta Sūtra IX.15.42-45 has employed the principle28 of pratinidhi-nyāya that when the material laid down as an oblation for a sacrifice is not available, one may use ghee as a substitute and perform the rest of the activities. It may be noted here that this view of the Śrauta writer runs counter to the view point of Śabara on Jaimini's Pūrva-Mīmāṁsā Sūtra IX.4.56-60. Here Śabara holds[29] that the remaining activities are to be dropped on account of the non-availability of the material. 6) From the Kātyāyana Śrauta Sūtra. I.4.2-4, it is evident that a representative[30]

is permitted only in respect of nitya and kamya actions. The use of Pūtikā is allowed in place of Soma on account of its unavailability by the Kātyāyana Śrauta Sūtra I.4.9-10. But the substitution[31] in respect of a deity, words, Agni and actions connected with sacrifice is not permitted by Kātyāyana Śrauta Sūtra I.6.6. Kātyāyana Śrauta Sūtra I.6.8 specifically adds that a prohibited material is not to be used as a substitute for the prescribed one. Kātyāyana further allows a substitute[32] in a secondary act and not in the principal act. Kātyāyana Śrauta Sūtra I.6.10 states that when, however, an object or material that is used as a substitute[33] for the original is perished, one should not select another suitable object to the original object, but one should select that which is nearer to the original. In respect of the conflicting position Kātyāyana has shown that between Guṇa and Drravya, one should prefer dravya because it is useful for the pradhana kriyā of the sacrifice. In passing, one may note that Rāmāgnicit on the Āpastaṁba Śrauta Sūtra X. 7.31 adds that one should select a representative or a substitute on the basis of similarity.

VI. In the Kauṭilīya Arthaśāstra 15.1.69 the term[34] Ūha is understood differently. Prof. R.P. Kangle translates this passage as 'doing of what is not expressly stated is what is understood. This point is further supported by the cogent example[35] from the Kauṭīliya Arthaśāstra III. 16.5–Evidently, the Mīmāṁsā sense is not intended to be conveyed by this explanation from the pen of Kauṭilya.

VII. The ninth chapter of the Pūrva-Mīmāṁsā is devoted for the fuller treatment to the aspect of Ūha. Śabara on Jaimini's Pūrva-Mīmāṁsā IX. 1.1 points out that substitution is possible only when the action is prompted[36] by Apūrva. On III. 2.29 it is clearly stated that substitute[37] is possible only in the case of Vikṛti yāgas and not in the case of the prakṛti yāgas. Obviously, this view is in complete agreement with the view point of the Śrauta writers. That Ūha has no place in the Prakṛti yāgas is further evident from Śabara's comments[38] on Jaimini's Pūrva-Mīmāṁsā IX.2.28. Someśvara in his Nyāya-Sudhā[39] holds that the division of Ūha into Ūhya and Anūhya is based on Mīmāṁsā knowledge and not on popular practice among the people. Kumārila in his Ṭupṭīkā on Jaimini's Pūrva-Mīmāṁsā IX.3.1 has suggested only 8 varieties of

Ūha. Śankarabhaṭṭa, however, in his Mīmāṁsā-Bāla-Prakāśa[40] has shown the ten varieties of Ūha. It is further interesting to remember that Śabara on Jaimini's Pūrva-Mīmāṁsā III.2.11 - 28 observes[41] that Ūha has no place, whatsoever, in the same chapter in the absence of any scripture to that effect; otherwise it may tend to give some other meanings. He further holds on Jaimini's Pūrva-Mīmāṁsā VI.3.14 that Pūtikā may be used as a suitable substitute for Soma. In the Vikṛti, however, the Ūha is to be used without making any change as such. Śabara on Jaimini's Pūrva-Mīmāṁsā IX.1.5 states that Apūrva[42] is the cause of pṛompting a person to do the sacrificial act and not the fruit and deity. Here also the seen purpose is not preferred to the unseen purpose. He has further shown on Jaimini's Pūrva-Mīmāṁsā IX.3.23-26 that even if the prescribed substance is not available and another substance is used for the original, yet there should be no modification[43] in the mantras with the substituted material or substance which has got resemblance with the original object. He further adds on Jaimini's Pūrva-Mīmāṁsā IX.3.21 that there is to be no modification in the mantra 'Patnim sannāhya' of the prakṛti porticularly in the Vikṛti by the yajamāna who performs the sacrificial activity either with one wife or two or even more. On Jaimini's Pūrva – Mīmāṁsā IX.3.22, Śabara remarks that there should be no modification[44] in the Adhrigu mantra. But this view is not favoured by Mādhavācārya in his Jaiminiya- Nyāya-Mālāvistara. He specifically holds that there should be a modification of the number and gender of the pronoun. Kumārila, however, on Jaimini's Pūrva-Mīmāṁsā IX. 1.41 thinks[45] that Ūha is possible in respect of the Yajmānas who are primarily connected with the fruits of the sacrifice. All this survey of the Mīmāṁsā literature will reveal that in the Mīmāṁsā literature, Ūha depends upon the relation of the principal persons connected with sacrifice. As regards the modifications of the mantra in the Vikṛti, however, the Mīmāṁsakas have expressed difference of opinion and have taken particular stand-point.

VIII. In the Dharma-Śāstra literature, however, Vijñāneśvara has made the application of the Māṣa-mudga-nyāya relied on Jaimini's Pūrva-Mīmāṁsā VI.3.20. Here it is held that Māṣa can not be used as a substitute for mudga for the simple reason that the use of Māsa is specially prohibited[46] in the Taittiriya Saṁhitā

V.1.8.1. Vijñāneśvara on the Yājñavalkya-Smṛti II.126 points out that the view point of opponent is wrong. The opponent holds that just as one prefers the māṣas in place of mudgas for the sacrifice, in the similar manner, there is nothing wrong if a member of the joint family conceals or takes away some part of the ancestral property without the knowledge of other members, treating the part to be his own. Vijñāneśvara points out that the substitution[47] of Māṣas in place of mudgas is prohibited and hence the behaviour of a member of the joint family taking a part of the ancestral property without the knowledge of others, is also wrong because thereby he is depriving the other members of their rightful share in the property. He has also shown here that the prohibited material is not to be used as a substitute for the original object. ii) The principle of pratinidhi nyāya is, however, employed by Nīlakaṇṭha in his Vyavhāra Mayūkha. Here he quotes the stanzas[48] from the Kātyayana Smṛti pointing out the criminal nature of the offences in some matter in which no representative is allowed, because one who has done or committed a particular thing is treated as the best knower of the matter. In these stanzas, the expression steyam occurs twice. Nīlakaṇṭha in his comments points out that the repetition is purposeful and it shows the absolute prohibition[49] of a representative in such serious matters. He further explains the expression prativādi in the text of the Kātyayana Smṛti as a pratinidhi or representative or substitute. In passing, it may be noted that the principle of pratinidhi nyāya is utilised by Devaṇṇabhaṭṭa in his Smṛticandrika-Śrāddha[50] Kāṇḍa p.460 and this is already explained by the present author in the Journal of the Oriental Research and Manuscripts Library, Kerala, Vol.XX Part I p.vi.

X. In the Nyāya-Śāstra, however, this term Ūha is taken in the sense[51] of 'logic, examination and inference.' as already noted by Jhalakikar in his Nyāya-Kośa. It is significant to note here that the term Ūha is also used in the sense of inference[52] and this sense is also adopted by Śabara[53] in his comments on Jaimini's Pūrva-Mīmāṁsā I.2.52.

XI. Bhaṭṭotpala in his comments[54] on the Bṛhat-saṁhitā of Varāhamihira, has taken the Ūha in the sense of 'imagination or inference.'

XII. In the domain of Alaṁkāra-Śāstra, however, the term Ūha is not understood in the Mīmāṁsā sense. All the writers on Alaṁkāra Śāstra take the term Ūha in the sense of 'making inclusion, or incorporation, to be found out, to be imagined.' Hence it would be futile to explore the source of the Alṁakāra Śāstra for the present purpose.

XIII. It would be equally interesting to see the purpose for which the principle of substitution is employed by the Western Jurisprudence. Maxwell[55] in his 'Interpretation of Statutes' has significantly pointed out the following purposes:-

1) To correct the obvious mistake in the drafting, 2) to avoid absurd consequences, 3) to restrict the scope of the jurisprudence, 4) to remove the manifest contradiction in the sections of the law, 5) to remove inconvenience to the public in general and the particular parties before the court in particular, 6) to avoid the carelessness of the language in any documents presented before the Court, 7) Substitution is absolutely necessary when the import of any section of the law appears to have opposed to a good sense. It may be noted here only incidentally that these points have no place in the different disciplines of sanskrit learning.

It would be evident from the foregoing discussion that the substitution is a very wider concept of the Mīmāṁsakas. It has undergone evolution at the hands of different writers of the different disciplines even including the western jurisprudence in the present context.

FOOT-NOTES

This paper is read and discussed at the time of Seminar on Nyāya and Mīmāṁsā conducted by the University of Poona in March 17-20 of 1984.

1. The evolution of the Mīmāṁsā technical term Atideśa. – A.B.O.R.I. Vols. 58-59-1977-78 - pp.777-784 and also Some evolutionary aspects of Vākyabheda published in JGJKSV Vol.37-1981-pp.169-188.
2. R.N. Dandekar-Exercises in Indology - 1978
3. R.N. Dandekar-Insights into Hinduism-1979 p.275.
4. Cf:- Rv. I.64.14d; V.54.15d; VI.48.8d. Prof. Velankar, however, treats himah as referring to hard days and śaradaḥ as happy days- particularly in his Notes on Ṛg-Veda-Maṇḍala II.p.88.
5. V.G. Rahurkar-The Seers of the Ṛg-Veda, pp.64-211.
6. H.D. Velankar-Ṛg-Veda-Maṇḍala VII, introduction-pp.xxvii onwards-1963.

7. G.V. Devasthali-Prākṛitism in the Ṛg-Veda-Seminar in Prākṛt Studies-1970 p. 202 ff.
8. R.N. Dandekar-Exercises in Indology-p.239
9. V.S. Sukthankar – The Bhṛgus and the Bhārāta-A.B.O.R.I. Vol. 18,pp.1-76.
10. N.J. Shende - The authorship of the Mahābhārata-A.B.O.R.I. Vol.24.
11. Ato bhis ais/P.A. VII.1.9.
12. Jasah śī/P.A. VII.1.17 and bhyaso bhyam/P.A. VII.1.30.
13. Avān sphoṭāyanasya/P.A. VI.1.123.
14. Anān ṛto dvandve/P.A. VI.3.25.
15. Jāyāyāḥ nin/P.A. V.4.134.
16. Halaḥ inaḥ śānajjhau/P.A. III.1.83 and also III.1.84.
17. Lohitadājbhyaḥ kyaṣ vacanam/on P.A. III. 1.13.
18. Lopāgamavarṇa-vikarato hy samyag-vedān paripalayiṣyati/Ūhaḥ khalu api/Mahābhāṣya-Paspaśānhika pp.7-8.
19. Aṅgāni jnāti-upama ca indriyāṇi ca/Etani na ūhaṁ gacchanti adhrigau viṣamaṁ hy tat/Mahābhāṣya-Dīpikā p.7.
20. Prakrtau samarthānāṁ vikāre sāmarthyābhāvāt prakṛtirūpalinga-vacana-upadānena kriyate/Puṇayarāja quoted in Vākyapadīya p.378. (Appendix V.).
21. Yadagamastadgunibūutād grahaṇena gṛhyante/Paribhāṣa-11.
22. Yatra-anekavidham āntaryam tatra sthanataḥ antaryam balīyaḥ/Paribhāṣa.
23. Sati hy sāmānye atideśaḥ pravartate/Śānkarabhāṣya on Brahma-Sūtra III.3.46.
24. Tad yatra prākṛtasya yajñāṅgasya sthāne vaikṛtamāmanet tat tasya dharmān labheta/Bhāradvāja-Śrauta-Sūtra VI. 15.7.
25. Yatriava caturthī tatraiva syād/ūhaḥ/Apataṁba-Śrauta Sūtra Vol.II.p.474.
26. Ibid.p.475.
27. Prākṛtasya hy vaikṛtadvārāntasambandhe satyūho bhavati/Ibid. Vol.III p.293.
28. Yadyapi Mīmāṁsakaiḥ śeṣakāryāṇām lopa ityuktām; tatha'pi adṛṣṭākāryasyā'pi vidyamānatvāt tat siddhaye pratinidhinā ājyena samāpanaṁ yuktamiti sūtrakārābhipayaḥ/Āp. Śrauta Sūtra Vol.III p.264.
29. Mīmāṁsā-Darśana.pp.1796-1797.
30. Kātyāyana-Śrauta-Sūtra Vol. I.pp.32-33.
31. Na devatā-Agni-śabda-kriyāḥ parāthatvāt/Kātyāyana Śrauta- Sūtra I.6.6.
32. Guṇeṣu pranidhiḥ parārthatvāt/Kātyāyana Śrauta-Sūtra I.6.10.
33. Pratinidhi-nāśe śrutasadruśasya-upādanaṁ na pratinidhi-sadṛuśasya/Ibid.p.36.
34. Anuktakaraṇam ūhyam/Kauṭilīya Artha-Śāstra Vol.I.p.282.
35. Yatha ca dātā pratigrahītā ca nopahatau syātāṁ tathā anuśayaṁ kuśalāḥ kalpayeyuḥ/(III.16.5) iti/Ibid.p.282.
36. Tasmāt dharmāṇām apūrvameva prayojakaṁ nimittam ceti/Mīmāṁsā-Darśana p.1641. Also Apūrva-Utprekṣanaṁ ūhaḥ/Mīmāṁsā Kośa. Vol.III.p.1236.
37. Ūhaḥ vikāreṣu upapadyate/Jaimini's Pūrva-Mīmāṁsā Sūtra III.2.29.

38. Prakrtau ca ha-abhāvāt/Jaimini's Pūrva-Mīmāṁsā Sūtra IX.2.28.

39. Yathā-Ūhya-Anūhya-vibhagaḥ mīmāṁsā-siddhatvāt na vyākaraṇāpekṣaḥ/ Tathā Ūha-svarūpamapi loka-veda-siddatvāt ityarthaḥ/Nyāya- Sudāa p.279 and Mīmāṁsā-Kośa.p.1232.

40. Mīṃāṁsā-Darśana-p.1743.

41. G.N. Jha-Pūrva-Mīmāṁaā-in its sources-p.299 remarks that he adds alteration of word with nominal affix and indeclinables.

42. Ūhaḥ na samānaprakaraṇe saṁbhavati asati vacane anyārthānāṁ-abhidhānāt Mīmāṁsā-Darśana.

43. Ūha siddho bhavati aṅgānām-apūrva-prayuktatvāt/Śabara on Jaimini's Pūrva-Mīmāṁsā IX.1.1. and Mīmāṁsā-Kośa p.1223.

44. Yat prakṛtau tat vikṛtau kartavyamiti tadvacanam....ihāpi dvitvaṁ bahutvamekatvaṁ na vivakṣitavyamiti/Mīmāṁsā-Darśana.IX.3.21 p.1756.

45. Avikāraḥ iti siddhāntaḥ/Ibid. p.1756. Cf:- Mahābhāṣya- dīpikā p.7.

46. Tatra devatāḥ sādantām pratipadyante/Ayurādini ca sādhyatvam/tasmāt āyurādīni phalāni/kartrgāmi ca kriyāphalam/Tasmāt yajmānaḥ pradhanabhutah phalam prati/Pradhānatvāt Ūhyaḥ/Tupṭīkā p.1688.

47. Ayajñiyā vai māṣcśaṇakāḥ kodravāḥ/Ṭaittīya-Saṁhitā V.1.8.1.

48. Mitākṣarā on Yājñavalkya-Smṛti II.126 p.232. Also see for māsamudga-nyāya-Dharma-dvaita Nirṇaya p.37.

49. Brahmahatyā surāpāne steye gurvaṅganāgame/Manuṣya-māraṇe steye paradārābhimarśaneā/prativādī na dāpyaḥ syāt kartā tadvivadet svyaṁ/Kātyāyana-Smṛti quoted in Vyavahārā-Mayūkha p.11.

50. Atyantika-pratinidhi-nesedharthham punaḥ steyagrahanam/prativadi pratinidhiḥ/Ibid p.12.

51. Yadyapi nyāyato agneḥ pratinidhi-abhavaḥ tatha pi na pratinidhi-nyāyena tu dakṣiṇāgnyaderupadanam/Kimtu.....gṛhyagni. sādhyam karma vidhīyato na dosaḥ/Smṛtichandrikā-Śrāddha-Kāṇḍa p.460 (J.R. *Gharpure's edition*).

52. Tarkaḥ/sa ca parīkṣaṇam/anumānam/

53. Anumānam/Yathā ūhaḥ (Jai.S tra I.2.52) ityādau/Na pitā vardhate na māta ityaukte aṇye vardhante iti gamyate/Śābara-Bhaṣya on Jaimini's Pūrva-Mīmāṁsā Sūtra I.2.52.

54. Bhaṭṭotpala on Bṛhat-Saṁhitā p.478.

55. Maxwell-Interpretation of statues-pp.231-238. (12th paper- back edition by P.St. J. Langan).

5

MEDHĀTITHI'S CONTRIBUTION TO ANUVĀDA

Medhātithi, the celebrated commentator of the Manu-Smrti is said to have flourished in the 9th century A.D. MM. Dr. Kane in his history of Dharma-Śāstra has placed the literary activity of Medhātithi between 825 A.D. to 900 A.D. In this paper, therefore, an attempt is made to throw light on the significant contribution of Medhātithi to the highly Mīmāṁsā technical term 'Anuvāda.' In this respect, I also have the pleasure to consult the first volume of the Mīmāṁsā-Kośa of Kevalānand Sarasvatī and particularly the pages 428-429.

At the very outset, it must be made clear that I have already pointed out some aspects in my paper[1] on 'Motivations of Punarvacana' contributed to the journal of the Asiatic Society of Bombay. There I have clarified the point that Anuvāda is regarded as a case of meaningless repetition by the writers on Dharma-Śāstra; while Punarvacana is a case of purposeful repetition. As opposed to this, the writers on Alaṁkāra-Śāstra and Nyya-Śāstra take the opposite view. They maintain that the repetition in Anuvāda is purposeful and that in the Punarvacana it is purposeless. As against this background, it is important and worthwhile to evaluate the contribution of Medhātithi to the technical term 'Anuvāda.'

Śabara has clarified the position of Vidhi and Anuvāda very succinctly. He states[2] that act which is not known is Vidhi; while that act which is known is a case of Anuvāda.

The special feature of the commentary of Medhātithi on the Manu-Smṛti with a particular reference to Anuvāda is indeed original and refreshing. Generally when the Anuvāda is made, it is made of the act which is mentioned previously. Hence Vidhi is mentioned first and its anuvāda is made later on. Coming to the commentary of Medhātithi, one is bound to be struck by his refreshingly original idea. He personally thinks that the order of the stanza in the Manu-Smṛti is not strictly serial. In fact, he is not prepared to admit that the stanzas in the Manu-Smṛti are arranged as per the order in which the sacrificial details are arranged. Hence Medhātithi thinks that the things which are to be mentioned later on or in the later Adhyayas, can be repeated in the previous portion or the Adhyāyas. To clarify this point further, one may invite the attention of the reader to the following places of the Manu-Smrti. The Manu-Smṛti[3] III.82 makes the Anuvāda of III.267, The Manu-Smrti II.48 makes the anuvāda of the Manu-Smṛti II.49-51. In this way, 3 more illustrations can be cited to illustrate the point to the readers. One would be impressed by the novel idea of the commentator Medhātithi that the portion previously mentioned can make the anuvāda of the portion that was mentioned in the later adhyāyas.

It must be stated here that sometimes, Medhātithi follows the principle of Anuvāda strictly. This could be clarified by stating that in the Manu-Smṛti II.75, there is an Anuvāda of the Manu-Smṛti II-74. The expression[4] 'Oṁkāra' occurs in the Manu-Smṛti II.75 and it makes an anuvāda of the expression 'Praṇava' that occurs in the Manu-Smṛti II.74. From this, it is further evident that according to Medhātithi, there should not be the repitition of the same expression for being treated as a case of Anuvāda. What he means to say is that for Anuvāda, it is the sense or the idea that is more important than the mere repetition of the same word. This point can be further expounded by drawing the attention of the readers to the expression 'Ajugupsitān' in the Manu-Smṛti III.209 making the anuvāda of the expression 'sadbhiḥ ninditaḥ in the Manu-Smṛti III.165 and vigarhita ācārān' of the Manu-Smṛti III.167. For

Medhātithi, Anuvāda is possible of the idea which is expressed either positively or negatively. It must be noted here that by the expression 'ajugupsitān' with reference to the brahmanas to be invited for the lunch of the Śrāddha, the idea is expressed negatively. While in the former places of the Manu-Smṛti III.165 and III.167 the same idea is put rather positively. It must be noted here that the very idea of Medhātithi putting stress on the ideology expressed positively or negatively is enough to serve the purpose of Anuvāda will have to be regarded as refreshingly original for which no praise is too high.

The question often arises whether in the employment of Anuvāda, lakṣaṇā has any scope or not. Medhātithi in his Bhāṣya on the Manu-Smṛti II.28 sepcifically maintains that there is no fault[5] if one resorts to lakṣaṇā to interpret the text as a case of Anuvāda. In this respect, he seems to be writing under the deep influence of both Śabara[6] on Jaimini's Pūrva- Mīmāṁsā Sūtra X.1.10.64 and Kumārilabhaṭṭa. It must be pointed out here in this context the appropriate place from the Manu-Smṛti to justify this observation. In the interpretation of the expression in the Manu-Smṛti I.84, Medhātithi resorts to lakṣaṇā to treat it as a case of Anuvāda.

The significant view of Medhātithi is that for Anuvāda, the availability[7] (prāptatva) is a good basis. Here Medhātithi in his comments on the Manu- Smṛti II.45 has based his Anuvāda on the principle of availability. It must be admitted here that this view of Medhātithi has a sound basis of Śabara's comments[8] on the Jaimini's Pūrva-Mīmāṁsā Sūtra VI.3.13.11.

Medhātithi's refreshingly original view is that in interpreting the text as a case of Anuvāda, there is nothing wrong[9] if the commentator makes the best use of the principle of Upalakṣaṇa. Medhātithi in his Bhāṣya on the Manu-Smṛti VIII.161 has remarked that resorting to Upalakṣaṇa, for interpreting the text as a case of Anuvāda, is no fault at all. Here it must be mentioned that Medhātithi has put this principle into practice in interpreting the text of the Manu-Smṛti, III.199. Here by the expression[10], 'Vipra' in the text of the Manu-Smṛti, Medhātithi makes the inclusion of the Kṣatriyas and Vaiśyas to interpret the text as a case of the Anuvāda.

Medhātithi's extremely novel view in respect of Anuvāda deserves special mention and even praise. He presumes[11] that for

Anuvāda, the worldly transaction or worldly dealing or popular practice among the people is a good basis. It is worthy of note here that Medhātithi has adopted this principle in interpreting the text of the Manu-Smṛti IV.18 on the basis of popular practice among the people. He personally feels that repetition is possible only of those objects which are known to the people. It is not a matter of wonder then that he has utilised the same principle to interpret the text of Manu-Smṛti IX.55. It must be mentioned here that this view of Medhātithi seems to have highly influenced the view of Nīlakaṇ ṭha, who also appears to have made the best of popular practice among the people as a good ground for 'Anuvāda'. For this very interesting point, attention of the readers may be drawn to Nīlakaṇṭha's Vyavahāra- Mayūkha p.89 (Dr. Kane's edition), where the text of Gautama-Dharma-Sūtra X.39-42 is interpreted as making the Anuvāda of the things which are siddha i.e. accomplished in the world or among the people. I cannot resist the temptation [12] of giving the said quotation in the foot-note.

The solid contribution of Medhātithi to the Mīmāṁsā term 'Anuvāda' lies in his introducing the conceptual understanding of the term Anuvāda. In this kind of Anuvāda, one will observe that there may not be the repetition of the expressions mentioned previously or to be mentioned later on. But some words are used in such a fashion, that they denote a particular concept. Medhātithi in his Bhāṣya on the Manu-Smṛti X.85 makes the anuvāda of the concept of commerce or trade by the expression[13] Vitta-Vardhanam occurring in the text of the Manu-Smṛti. It must be pointed out here that this aspect of the conceptual Anuvāda has also impressed Kullūkabhaṭṭa, the popular commentator of the Manu-Smṛti V.163. Hence the influence of Medhātithi on Kullūbhaṭṭa is almost undeniable on this important aspect.

At times, the question arises whether for resorting to the principle of Anuvāda the textual authority is necessary or not. It may be noted here that Medhātithi cares to quote the authority[14] for resorting to Anuvāda, in interpreting the text of the Manu-Smṛti III.4. but the source of the authority is not disclosed by him. We get another case of the Manu-Smṛti I.86 in the interpretation of which he has not at all given any supporting textual authority. Hence incidentally, it may be noted in passing that Nīlakaṇṭha in

his Śuddhi-Mayūkha p.42 relies upon the authority, when he states that a person becomes purified on the 10th day, on the impurity arisen as a result of burning the dead body of the person concerned.

In the Dharma-Śāstra literature, the question can be raised as to whether the employment of Anuvāda serves any purpose or not. Generally the authors of the Dharma-Śāstra do not notice any purpose for, resorting to Anuvāda in interpreting the text of Dharma-Śāstra. But Medhātithi appears to be a notable exception in this respect. He has located or indicated or pointed out different purposes in interpreting the text of the Manu-Smṛti as a case of Anuvāda. Here attention may be drawn to the different purposes. Medhātithi, for example, has shown the purpose of completing[15] the stanza as a purpose in interpreting the text of the Manu-Smṛti I.72, II.173, III.228, III.267 etc. He further points out praise[16] as a purpose for resorting to Anuvāda in the interpretation of the Manu-Smṛti II.166. Medhātithi also adds that the purpose of Anuvāda is to provide the details[17] in any matter. He illustrates the truth of his observation in interpreting the text of the Manu-Smṛti IV.29 as a case of Anuvāda and supplying the details of the worship to a guest of Manu-Smṛti III.105 and 106. Similarly, the Manu-Smṛti, IV.186 is an anuvāda of the Manu-Smṛti IV.191b for the purpose of providing further details in the matter. Attention of the readers may be drawn to a still very different purpose for Anuvāda by quoting a case of the Manu-Smṛti III.125. Medhātithi states that the purpose of the Anuvāda here is to prohibit[18] the Yajamāna from increasing the number of brāhmaṇas to be invited for the Śrāddha-Ceremony for representing the gods and manes, even if the Yajamāna is said to be wealthy and has a strong desire to feed the more brahmins for the Śrāddha ceremony. Here one is constrained to observe that Medhātithi is also under the deep influence of Śabara in pointing out the purpose for resorting to Anuvāda in interpreting the text of Dharma-Śāstra. Here attention may be drawn to Śabara's interesting comment on Anuvāda that in the absence of any purpose, however, anuvāda is not possible.

In passing, it may be remarked that the term 'Anuvāda is translated into English by MM. Dr. Ganganath Jha as purely explanation (Manu-Smṛti II.8; II.16), reiteration (Manu-Smṛti II.18, III.47 etc., repetition (Manu-Smṛti I.72), purely descriptive

(Manu-Smṛti I.84) and purely reiterative (Manu- Smṛti III.199). In the above discussion, however, I have retained the expression 'Anuvāda' as it is, without translating the same.

From the foregoing discussion, it is quite clear that Medhātithi's contribution to the field of Anuvāda is noteworthy. His idea of conceptual Anuvāda deserves praise at all hands. His method of not recognising any order as such in the stanzas of the Manu-Smṛti is original. His idea that for Anuvāda, it is the sense that is more important than the mere repetition of the same expression, will have to be treated as novel in the entire range of Dharma-Śāstra literature. Medhātithi's attempt to connect Anuvāda with lakṣaṇā is backed up by the remarks of Śabara. His concept of Anuvāda connected with Upalakṣaṇa is refreshingly original and deserves praise. His very attempt to locate different purposes for Anuvāda has not only a sound basis of Pūrva-Mīmāṁs, but one may be constrained to observe here only incidentally that he is also under the deep influence of the Nyāya Śāstra. His concept of Anuvāda having a good foundation of popular practice among the people is also followed by the later writers on Dharma-Śāstra like Nīlakaṇṭha. Medhātithi's attempt to rely on the textual authority for Anuvāda has served as a lesson to all the scholars of Dharma-Sāstra. The purposes for which he has resorted to Anuvāda in interpreting the text of the Manu-Smṛti has escaped the notice of the deep rooted scholar like Kevalanand Sarasvatī in his Mīmāṁsā-Kośa. Taking into account all these interesting aspects of Medhātithi's Anuvāda, it will not be out of place if it is only incidentally remarked that Medhātithi has certainly made a good contribution to the evolutionary aspect of Anuvāda.

FOOT-NOTES

1. 'Motivations of Punarvacana' by S.G. Moghe in the Journal of the Asiatic Soceity of Bombay, Vol.Nos.49-50-51 of 1974-75-76 pp.128-135 and published elsewhere in this volume.
2. Yadi ajnātaḥ tatah vidhih/Yadi jnataḥ tatah Anuvādaḥ/Śābara on Jaimini's Pūrva-Mīmāṁsā Sūtra I.4.5.8 quoted in Mīmāṁsā Kośa Vol.I. p.429.
3. Tilairvrīhiyavaih (Manu-Smṛti III.267) ityādeh anuvādo'yaṁ/Medhātithi on the Manu-Smṛti III.82.
4. Praṇavaśabdena Kartavyatāṁ uktvā atra oṁkāraṁ ity anuvadati ataḥ etau ekārthau/Medhātithi on the Manu-Smṛti II.75.
5. Na ca anuvāde lakṣaṇādoṣaḥ/Medhātithi on the Manu-Smṛti II.28.

6. Anuvādah lakṣaṇayā upapadyate/Śābara on Jaimini's Pūrva- Mīmāṁsā Sūtra XI.1.10.64 quoted in Mīmāṁsā Kośa Vol.Ip.428.
7. Yathā prāptānuvādaḥ/Medhātithi on the Manu-Smṛti II.28.
8. Prāptasya anuvādo bhavitumarhati/Śabara on Jaimini's Pūrva- Mīmāṁsā Sūtra VI.3.13.11.
9. Anuvāde ca upalakṣaṇatvaṁ adoṣaḥ/Medhātithi on the Manu- Smṛti VIII.161.
10. Vipragrahaṇaṁ anuvādatvāt kṣatriyādi-pradarśanārtham/Medhātithi on the Manu-Smṛti III.199.
11. Lokavyavahāramūlastu ayaṁ anuvādaḥ/Medhātithi on the Manu- Smṛti IV.18.
12. Yattu Gautamah-Svāmī riktha kraya.....ity tallokasiddhakarana-anuvādakaṁ/ Vyavaharā-Mayūkha. p.89.
13. Vitta-vardhanaṁ ity Svabhāvānuvādaḥ/Vāṇijyāyāṁ hy dhanavṛddiḥ prasiddhā/Medhātithi on the Manu-Smṛti X.85.
14. Samāvṛtto-'Gurukulāt pitṛgṛham pratyāgataḥ' ity Anuvādah/Medhātithi on the Manu-Smṛti III.4.
15. Vidhipūrvakam ity anuvādah ślokapūranārthah/Medh.ātithi on the Manu-Smṛti II.173.
16. Prakṛtaśeṣatayā prāptah eva grahanārtho abhyaso' anūdyate stutyartham/ Medhātithi on Manu-Smṛti II.166.
17. Uktamidaṁ uttarārdhaṁ anūdyate/Medhātithi on the Manu-Smṛti II. 29. Dr. Ganganatha Jha translates uttarādharam as for supplying the details.
18. Vistara-Pratisedhārtho' yamanuvādah/Medhātithi on the Manu- Smṛti III.125.

6

PŪRVA-MĪMĀṀSĀ AND DHARMA-ŚĀSTRA

Pūrva-Mīmāṁsā is better known as the science of interpretation. This science has largely influenced the different branches of sanskrit learning. In this paper, an attempt is made to bring to light the salient features of this science of interpretation particularly in relation to its employment of the doctrines to the Dharma-Śāstras.

It must be stated here at the very out set that the term Dharma-Śāstra is a very wide term and includes not only the source of the vedic literature but also the Smṛti literature, Dharma-Sūtra literature, commentaries on the Smṛtis and Dharma-Sūtras, digest works and purāṇas and even the Śrauta Sūtra works and Gṛhyasutra works.

It is important to note here that the cases which are cited below are only illustrative and not exhaustive and these are cited in such a way that they should support the point at issue.

In the science of Pūrva-Mīmāṁsā, a discernible reader comes across the use of many technical terms like Anuvāda, Punarvacana, exception, exception to the negative rule otherwise known as Pratiprasava, injunction, prohibtion, option, centralisation, decentralisation, glorification, rules of transfer otherwise known as Atideśa etc. In addition to this, one also finds the abundant use of the Mīmāṁsā rules of interpretation like Rātrisatra nyāya, Yūpakarma nyāya, etc. and the popular maxims like Gobalīvarda

nyāya, dehalīdīpaka nyāya etc. Besides, the Mīmāṁsā sūtras of Jaimini also play very important part in the matter of interpretation. In the light of the knowledge of all these technicalities, the discussion would be introduced below to enlighten the interested readers.

It must be mentioned here that one would come across the host of sanskrit writers who have made the judicious and abundant use of the doctrines of Pūrva-Mīmāṁsā to the domain of Dharma-Śāstra. Here a reference could be made to the important writers like Viśvarūpa, Vijñāneśvara, Aparārka, Śūlapāni, Mitramiśra, Medhātithi, Govindarāma, Kullūkabhaṭṭa, Nīlakaṇṭha, Raghunandana, Śankarabhaṭṭa, Anantadeva the author of Saṁskāra-Kaustubha, and Vipramiśra, the author of the Śrāddha-Pradīpa (from Orissa) and others.

Incidentally, it may be mentioned here that these authors always show the independent mind in deciding the texts before them so as to resolve the conflicts in the mutually conflicting texts of Dharma-Śāstra. In doing so, they faithfully represent the manners and customs of the regions to which they belong.

It is worthy of notice that the disagreement has become the soul of the writing of the authors on Dharma-Śastra. One and the same Dharma-Śāstra text is interpreted differently in the different regions by resorting to the different rules of interpretation. To clarify this point, it is important to draw the attention to the text[1] of Vasiṣṭha Dharma-Sūtra XV.5. This text simply means that a woman can not give or adopt a son without the permission from her husband. Now the question arises whether a widow can adopt a son or not. The Dattaka-Mīmāṁsā and Mithila schools hold that a widow can not adopt a son. 2) The Bengal and Benares schools think that a widow can adopt a son, provided she gets the permission of her husband during his life-time. 3) The Madras school goes one step further and holds that a widow can adopt a son with the permission of her father-in-law or other coparceners. 4) The Vyavahāra Mayūkha[2] and Dattaka Candrikā[3] hold that a widow can adopt a son and in this case a permission is always taken for granted, if not expressly prohibited by the husband. From this discussion, it would be evident that the different rules of interpretation are employed by the writers on Dharma-Śāstra for

interpreting the one and the same text of the Vasiṣṭha-Dharma-Sūtra.

One would be curious to know that the writers on Dharma-Śāstra also follow some trends among themselves in interpreting the Dharma-Śāstra text in the light of the Pūrva-Mīmāṁsā rules of interpretation. For the elucidation of this point, attention may be drawn to the principle of Tantratā (Centralisation), particularly employed by the writers on Dharma-Śāstra. It is the basic principle[4] at the back of the term Tantratā that there should be the sameness of time, place and agent, for the single performance of an act. In the employment of this principle, however, one would notice the trend which is worthy of appreciation. The writers on Dharma-Śāstra like Śūlapāṇi and Nīlakaṇṭha adopt the principle of Tantratā even though one of the conditions of the Tantratā is violated, only if the particular Smṛti text is available to serve the purpose of the writer. Here one may clarify this point with the view of Śūlapāṇi who resorts[5] to Tantratā on the basis of the text of Brahma-Purāṇa, though there is not the sameness of place. Even Nīlakaṇṭha in his Vyavahāra[6] Mayūkha resorts to the principle of Tantratā, on the basis of the text of Nārada Smṛti. From this it is evident that Śūlapāṇi and Nīlakaṇṭha attach more importance to the Smṛti text particularly in comparison with the technicality of the Mīmāṁsā principle. But it is Vipramiśra, the author of the Śrāddha-pradīpa, who rejects[7] the view point of Śūlapāṇi on the ground that the sameness of place is not maintained by Śūlapāṇi in resorting to the technicality of Tantratā. From this, it goes without saying that Vipramiśra who represents the region of Orissa, is not prepared to follow, the trend of the Dharma-Śāstra authors like Śūlapāṇi who is followed by Nīlakaṇṭha. This discussion also leads one to the irresistible conclusion that the writers on Dharma-Śāstra are not unanimous on the point of attaching equal importance to the Smṛti text and the Mīmāṁsā rule. The divergence on this point also is indicative of the independent bent of mind of the writers of Dharma-Śāstra. In passing, it may be remarked that Dr. Swain who has written an independent and original commentary Raśmi on the Śrāddha-pradīpa of Vipramiśra is not aware of this trend of the writers on Dharma-Śāstra.

The criticism of the views of the predecessors on the Mīmāṁsā technical point is also another interesting feature of the writers on Dharma-Śāstra. While discussing the topic of ordeals, Nīlakaṇṭha refers to the view point of Gauḍa-Mīmāṁsaka i.e. Raghunandana who holds that clarified butter, boiled rice and fuel sticks are to be offered together (by the mode of Tantratā) to the same deities in the fire and not separately. Nīlakaṇṭha, however, is not prepared to follow the principle of Tantratā here. He refutes[8] the view point of Raghunandana by pointing out that the above mentioned things are to be offered into fire separately and also by the different modes. Sruca is the proper mode of Caru, Ājya is offered with sruva and the sacrificial sticks are offered with the hand. Needless to say that this view of Nīlakantha is based on the Āśvalāyana Gṛhya sūtra and Kātyāyana Śrauta Sūtra particularly quoted by Dr. Kane in his Notes on the Vyavahāra-Mayūkha. From this discussion, it would be fair to draw the legitimate inference that the Śrauta and Gṛhya Sūtra literature is also properly consulted by the writers on Dharma Śāstra at the time of applying the Mīmāṁsā doctrines to the problems posed by the Dharma-Śāstra texts. 2) We may take one more case. In interpreting the text[9] of the Yājñavalkya- Smṛti II. 135, Vijñāneśvara takes[10] the word bhrātā in the text as having the sense of a 'full brother' and a 'half brother'. Nīlkaṇṭha in his Vyavahāra-Mayūkha has shown that Vijñānesvara's above mode of interpretation would violate the Mīmāṁsā principle of the maxim 'Vṛttidvaya-virodha nyāya'. This nyāya simply means that in one and the same text, one and the same word is to be taken only in one sense and not in the primary and secondary sense as is done by Vijñāneśvara. It may be noted here in passing that even Aparārka[11] has also incurred the same flaw which is incurred here. But in violating the principle of the Vṛtti-dvaya-virodha nyāya, Aparārka has relied upon the Smṛti authority. In that case, one may be justified in saying that Aparārka, though a good Mīmāṁsaka, attached more importance to the Smṛti authority than to the Mīmāṁsā rule, as is the case with Śūlapāṇi and Nīlakaṇṭha. Any way, one will have to admit that Mīmāṁsā principles have prepared a basis for the Dharma-Śāstra authors for the criticism of the views of the predecessors in the field.

It would be equally interesting to bring to light that at times, the writers on Dharma-Śāstra contribute to the novel interpretation of the Mīmāṁsā sūtras particularly in comparison with the grand-masters of Pūrva- Mīmāṁsā Sūtras. Here the Mīmāṁsā rule Śāstraphalam prayoktari' is a case for discussion. This occurs in Jaimini's Pūrva-Mīmāṁsā Sūtras III.7.18-20. Viśveśvarabhaṭṭa in his commentary Subodhinī[12] on the Mitākṣarā of Vijñāneśvara on the Yājñavalkya-Smṛti gives us a novel interpretation of the expression 'Śāstraphalam' in the Sūtra. Here he takes care to point out the fruits of this world and also of the yonder world for the act that is performed by human beings. In this very context, if one consults the Mīmāṁsā-Kośa Vol. VII. pp.3912 to 3916, one would be surprised to know that the celebrated authors or grand masters of the Pūrva-Mīmāṁs, have not, at all, touched the above aspect in the manner in which it is touched by Viśvesvarabhaṭṭa in his Subodhinī. Here I have cited only one case to prove my finding. It is possible to add to the above illustrations. It must be stated here that the writers on Dharma-Śāstra are sufficiently intelligent to offer their own novel interpretations of the words in the Sūtras of Jaimini.

It would be interesting to point out that the vast Smṛti material has come to the help of the commentators of the Smṛti works and digest authors to suggest some revision in the concept of the Mīmāṁsā terms. Here one may simply consult the commentary[13] of Haradatta on the Āpastaṁba Dharma-Sūtra I.8.26.5. Here Haradatta states that following the principle of the Smārta nyāya, only one half of the details of the prakṛti should be adopted in the Vikṛti. A good student of Dharma-Śāstra is bound to remember that Vijñāneśvara in his Mitākṣarā on the Yājñavalkya-Smṛti III.265 has suggested that there should be the deduction of something from the original (Prakṛti) to the Vikṛti (extended case). But he has not quoted any smrti text in his favour. I am more happy to cite one stanza[14] on the name of Vyāghra and particularly quoted by Vaidyanātha Dīkṣita (1650-1700 A.D.) in his Śrāddha-Kāṇḍa of the Smṛtimuktāphalam. This stanza simply means that when the details in respect of a vrata in a prakṛti are transferred to the vikṛti, the details become less by one fourth of the original. In fact, it would be possible to collect such stanzas even from the Mahābhārata

which would help the authors to revise the concept. It would be a matter of interest for the serious readers that even Nīlakaṇṭha (1600-1660 A.D.) has also made a very judicious use[15] of the citations from the Smṛti works to suggest the three varieties of Atideśa. In the case of the Sāmya Atideśa, the details become 1/2 of the original. While in the case of Vācanika and Tādrupya Atideśa, the details should become less than 1/4th of the original. This would naturally help one to infer very legitimately that for the idea of the deductions in the original to the extended cases, the smrti material has rendered quite adequate help. Hence there is a point that the smṛti literature has proved very useful to the purpose of the Dharma-Śāstra authors in modifying or revising some of the Mīmāṁsā concepts.

At times, however, the interested readers of both the branches of learning come across some improper uses of the Mīmāṁsā nyāyas or technical terms or even of the laukika nyāyas. To justify this observation, attention may be drawn to the digest work of Devaṇṇabhaṭṭa. In his Vyavahāra-Kāṇḍa of the Smṛticandrikā he has made the use of the Mīmāṁsā nyāya-Yupākarṁa nyāya, from Jaimini's Pūrva-Mīmāṁsā Sūtras XI.3.3-4. This nyāya[16] simply means that all the actions of cutting, paring etc. are to be carried out in respect of one pole useful for the offering of animals as oblations. This principle is utilised by Devaṇṇabhaṭṭa in his interpretation of the text[17] of Vyāsa. Here in the stanza different attributes of the purohita are mentioned. Now the question arises whether there should be only one purhita possessed of one attribute or there should be many purohitas as possessed of different attributes or one Purohita possessed of many attributes mentioned in the stanza. By applying the principle of the Yūpakarma nyāya to the present case, Devaṇṇabhaṭṭa decides the point that there should be one purohita endowed with many attributes. Here one is tempted to observe that the choice of this nyāya on the part of Devaṇṇabhaṭṭa is not very happy. As in the text of Vyāsa, the attributes are important and not the actions, Devaṇṇabhaṭṭa should have better applied the principle of the maxim 'Aruṇā nyāya employed in Jaimini's Pūrva-Mīmāṁsā Sūtra III.1.1.2. This nyāya lays down that all the attributes in the case of a cow are to be lumped together. It must be stated here that though the import of

both the maxims-Yūpakarma nyāya and Aruṇā nyāya-is one and the same, yet the former has a reference to the actions and the latter has a relation to the attributes. One is here almost tempted to remark that the choice of the maxim 'Aruṇā nyāya' in place of 'Yūpakarma nyāya' would have become better on the part of Devaṇṇabhaṭṭa.

It is worthy of note here the authors of the Dharma-Śāstra also interpret the Paurāṇic passages from the Mīmāṁsā angle, particularly when the Paurāṇic passages have a bearing on the Dharma-Śāstra aspect. Instead of citing few more examples of this type, I would be happy to draw the attention of the interested readers to my paper 'Pūrva-Mīmāṁsā and Pauranic interpretation' particularly published in the Volume No. XIX of the Purāṇa-Journal. Here page Nos. 283 to 291 may be consulted by the curious readers.

Here the peculiarity of the Dharma-Śāstra authors is particularly noticed when they employ a particular technical term to interpret a smṛti text. Here the attention may be drawn to my article 'Samuccaya – A neglected Mīmāṁsā Term By Vijñāneśvara', particularly published in the A.B.O.R.I. Here I have shown that in the employment of the Mīmāṁsā technical term 'Samuccaya' Vijñānesvara has done injustice to the Smṛti literature. It must be stated here that it is Mitramiśra, the commentator of the Yājñavalkya-Smṛti, who has done perhaps more justice to the Mīmāṁsā technical term 'Samuccaya'. For a fuller discussion on this term, attention may be drawn to the present author's paper 'Samuccaya – A neglected Mīmāṁsā term by Vijñāneśvara' published in A.B.O.R.I. Vol. 51,1971, pp. 83-92. Here one case may be discussed. One may read with advantage the commentary of Mitamiśra on the Yājñavalkya[18] Smṛti I. 313. Here it may be noted that in the reading adopted by Mitamiśra, the word ca occurs twice after the words purohitam and daṇḍanītyām. Vijñāneśvara, however, reads ca only once after the word daṇḍanītyam. Here Mitramiśra emphasises[19] the importance of the word ca that occurs twice. By the first word ca, he suggests that there should be the inclusion of the pure nature which is necessary for a purohita. By the word ca that occurs after daṇḍanītyām, he suggests that a purohita is expected to know anvikṣikī vidya. He further states that

by the word tathā which again occurs in the same stanza, the combination of the three things is intended to be stressed. One also comes across two more cases of this type in the commentary of Mitramiśra on the Yājñavalkya-Smṛti II.16 (p. 423) and I. 332-333.

It would be proper on the part of the present author to point out the limitations of the writers on Dharma-Śāstra. A curious reader of the works of Astrology is bound to come across the fact that the commentators of the works of Astrology also try to quote and interpret the texts of Dharma-Śāstra from the Mīmāṁsā angle. They, in fact, touch those places on which the writers of Dharma-Śāstra pass over those places in silence. Here the attention of the readers may be drawn to the commentary of Viṣṇu on Vidyāmādhaviyam Vol. II. p.67. Here in his commentary 'Muhūrta-Dīpikā on the Vidyāmādhavīyam, Viṣṇu quotes the Manu[20] -Smṛti II.36 and points out that by the word 'tu' in the text of the Manu-Smṛti, the combination is intended to be conveyed. Here naturally there is a reference to the initiation of a boy which is purely based on a particular wish. Hence for the combination of the word 'tu' viṣṇu suggests that the combinations of the upanayana based on the sweet will of a boy. It is surprising that all the commentators of the Manu-Smṛti do not at all touch this place from the Mīmāṁsā angle. Hence there is no point in denying the complementary character of the works of Astrology to understand the Dharma-Śāstra works from the Mīmāṁsā angle. Herein lies the limitation of the works of Dharma- Śāstra authors.

The signal contribution of the writers on Dharma-Śastra to the evolutionary aspect of the Mīmāṁsā doctrines can hardly be ignored by any serious student of the subject. Here again for avoiding prolixity, the present author takes pleasure to draw the attention of the readers to his learned papers[22] on Punarvacana, Atideśa, Vākyabheda, showing and helping the evolutionary aspect of these Mīmāṁsā terms, particularly in respect of the senses, varieties and application of the terms. In passing, I may add here that even the writers on Alaṁkāra Śāstra have also their own independent views on the Mīmāṁsā doctrines which have not received sufficient attention of the serious workers of the subject. But this topic I have reserved for one complete book on Pūrva-Mīmāṁsā and Alaṁkāra-Śāstra.

MM. Dr. P.V. Kane has challenged[23] the universality and validity of the Mīmāṁsā rules of interpretation on various grounds such as different imports of the sūtras of Jaimini according to Śabara and Kumārila. Besides, one and the same adhikaraṇa appears to be a subject matter of different subjects. Though there is some iota of truth in the observation of the learned doctor, yet it must be remembered that the science of Pūrva-Mīmāṁsā has opened a vast field for the writers of the different disciplines of Sanskrit learning and this study will have to be considered from the 9th century A.D. to 20th Century A.D. and there is not a single branch of Sanskrit learning which is not influenced by the science of Pūrva-Mīmāṁsā.

In conclusion, this paper brings to light the Mīmāṁsā disagreement, Mīmāṁsā criticism of the writers, some novel interpretations, flaws in the choice of Mīmāṁsā principles, limitation of the writers on Dharma-Śāstra, their contribution to the evolutionary aspect of the Pūrva-Mīmāṁsā doctrines, complementary nature of the works on Astrology, and overwhelming influence of branch of learning on all branches of literature for a pretty long time.

FOOT-NOTES

This paper is read at the Dharma-Śāstra Seminar held by Asiatic Society, Bombay in March 1989.

1. Na strī putraṁ dadyāt pratigṛṇhiyāt vā anyatra anujñānāt bhartuḥ/Vasiṣṭh Dharma-Sūtra XV.5.
2. Vyavāhara-Mayūkha p.113 uses the principles of Anuvāda and Apūrva- Vidhi - to interpret this passage.
3. The Daṭtaka-Candrikā employs the principle of paramatamapratiṣiddhaṁ anumataṁ bhavati/p.
4. Deśa-kāla kartṛṇām aikye hy tantratā/But Pūrṇasarasvatī in his commentary vidyulata on the Meghadutam - in interpreting the word sāranga in Sārangāste jalalavamucaḥ sūcayisyanti mārgam/uses Tantratā to interpret the word sāranga in different senses.
5. Iha tu pūrvalikhita brahmapurāṇavacanena eva tantratā ity Śūlapāṇiḥ/ Śrāddha-Pradipā p.206.
6. Also See:- Vyavahāra-Mayūkha p.133.
7. Tat, tuccham/Deśa-kāla-kaṛtraikye hy tantratā/Na catra deśaikyam/ Śrāddha-pradipā p.206.
8. Vyavahāra-Mayūkha p.54.
9. Patnī duhitaraścaiva pitarau bhrātarasthathā/Tatsutā gotrajā bandhu-śiṣya-sabrah-macāriṇaḥ/Yājñavalkya-Smṛti II.135.

10. Yattu Vijñānesvarādayaḥ sodarābhāve bhinnodarāstadabhāve sodarasutā ityahustanna/Vyavahāra-Mayūkha p.142.
11. Mātrgrahaṇam tat-sāpatnyādi-pradarśanārtham/Aparārka on Yājñavalkya-Smṛti II.123 p.730.
12. Tat ca phalam dvividham/Aihikaṁ pāralaukikaṁca ity/Subodhinī. p.109. This explanation of Subodhinī has largely influenced Bālaṁbhaṭṭi p.347.
13. Atideśasya cārdhaṁ prapyata ity smārto nyāyastena śtrīṇmardhaprptyarthaṁ vacanamity/Haradatta on Apastaṁba Dharma-Sūtra I.8.26.5.p.146.
15. Atra sāmyātideśe' ardham, tādrūpya-vācanikayostu pādonam/Prāyaścitta-Mayukha p.14. For details on Atideśa- see my paper published elsewhere in this volume.
16. Tasmādeka eva yūpaḥ trayāṇāmapi paśūnāṁ tantreṇopakaroti/ Mīmāṁsā-Maṇḍana p.460.
17. Rāja purohitaṁ kuryāḍudīcyaṁ brāhmaṇaṁ hitam/Srūta- adhyayana-sampannaṁ alubdhaṁ satyavādinam//Smṛti-Candrikā - Vyavahāra- Kāṇḍa. p.15.
18. Purohitaṁ prakurvīta daivajñamuditoditam// daṇḍanītyām ca kuśalamatharvā girase tathā//Yjavalkya-Smṛti I.313.
19. Prathama cakāreṇa.....śucitvasya, dvitīya-cakāreṇa ānvikṣikyāḥ samuccayaḥ/ Tathā śabdena trayī-samuccayaḥ/Mitramiśra on Yājñavalkya-Smṛti p.353.
20. Garbhāṣṭame abde kurvita brāhmaṇasyoanayanam/Garbhdekādaśe rajño garbhāttu dvādeśe viśaḥ//Manu-Smṛti II.36.
21. Tu śabdo anuktakāmyopanyanasamuccayārthaḥ/Muhūrta-dīpikā on Vidyāmādhaviyam Vol.II. p.67.
22. Also see the papers on 'Motivations of Punarvacana' and 'Some evolutionary aspects of Vākyabheda' and 'Some evolutionary aspects of Ūha' published elsewhere in this volume.
23. P.V. Kane - History of Dharma-Śāstra Vol.III. p.668-669.

7

PŪRVA-MĪMĀṀSĀ AND PARĀŚARA-MĀDHAVA

MM. Dr. P.V. Kane has already shown in his History of Dharma-Śāstra Vol. I part II. p.790 that the literary activity of Mādhavācārya can be fixed between 1330 and 1385. The Parāśara Smṛti is commented upon in Sanskrit by Mādhavācārya. It is due to this that he is better known as Parāśara- Mādhava. It must be stated here that for the purpose of the present paper, I have utilised the Parāśara-Smṛti with the gloss of Mādhavācārya published by the Asiatic Society of Calcutta, particularly published in the years 1973 and 1974. The commentary of Mādhavācārya on the Parāśara Smṛti is actually in the nature of a digest work. Mādhavācārya has collected together the Smṛti dicta available to him and has tried to resolve the conflicts in the texts of Dharma-Śāstra, by resorting to the doctrines of Pūrva-Mīmāṁsā. Hence, an attempt is made in the present paper to determine the position of Mādhavācārya in comparison with the other digest authors like Vijñāneśvara, Nīlakaṇ ṭha, Kamalākarabhaṭṭa, and others.

It must be stated here that Mādhavācārya has also written a voluminous Sanskrit commentary on the Pūrva-Mīmāṁsā Sūtras of Jaimini. This work is otherwise known as Jaiminīya- Nyāya-Mālāvistara. It is no wonder then that he has employed the Mīmāṁsā doctrines to interpret the texts fo Dharma-

Śāstra which are opposed to each other in respect of the import of them.

It must be admitted here that Mādhavācārya has really appreciated the significance of the Mīmāṁsā in technical terms like Apūrva-Vidhi, Kratvartha and Puruṣārtha, Pratiprasava Parisaṁkhyā and others. But the employment of these terms, however, appears to be very meagre in comparison with Nīlakaṇṭha the authors of the twelve Mayūkhas.

He has also made the use of the Mīmāṁsā maxims. He has appreciated the significance[1] of the Mīmāṁsā maxim 'na vidhau paraḥ Śabdārthaḥ' meaning that in an injuctive sentence, the word is used only in one and the same sense. This principle is utilised by Mādhavācārya to interpret the text of Paiṭhinasī quoted on p.647. In this text, the expression 'ekādaśe' occurs. Mādhavācārya points out in his gloss on the same that the expression 'Ekādaśe' can not be taken as referring to the next day after the period of impurity is over. In that case, one will have to resort to lakṣaṇā. It is not proper to use lakṣaṇā in interpreting the Vidhi vākya. Besides, if the lakṣaṇā is resorted to in interpreting the expression 'ekadaśe', there would be violation of the principle laid down in the mīmāṁsā maxim 'Navidhau paraḥ śabdārthaḥ.'

Mādhavācārya has also realised the importance of the Vyavasthita vikalpa in a matter of conflict between the two texts. Here it is interesting to note that Mādhavācārya has noted a custom[2] in the Kerala. Even if the approaching of a man to a prostitute is confirmed by the witnesses to that effect, yet a man is not punished by a king there. This is so, because a particular custom is prevalent in a particular country. If, however, a king issues a specific order prohibiting a particular custom, then only a particular person is punished and not otherwise. As Mādhavācārya flourished in the Karnatka, he also records a custom[3] from the Karnataka. He states that even if a forcible marriage has taken place with the daughter of a maternal uncle, yet it does not contribute to a sin. He also adds that even in the Kerala[4], if a girl experiences the period of menstruation, yet that does not bring any sin to a father. As the Vyavasthita vikalpa is based on the manners and customs prevalent in the particular regions, they are to be accepted as valid sources of law and for which no punishment is to be

imposed upon the concerned persons. Mādhavācārya has also noted the option based on the traditions mentioned in the Gṛhya Sūtra literature. In a matter of conflict between the two texts, one should follow the tradition of a particular Gṛhya Sūtra which is followed in the family. We get the example of this type in the Acārā Kāṇḍa of the Parāśara-Smṛti Vol. I pp. 438- 439 in respect of the Saṁskāra known as Garbhādhāna to be repeated in respect of the saṁskāra known as Simantonnaya in the case of a woman. Here he quotes the two texts of Devala Smṛti and Viṣṇu Smṛti and opines that here the Gṛhyasūtra tradition[5] is to be maintained.

In the Dharma-Śāstra literature, in respect of the Vaiśvadeva Karma, the problem is posed whether this karma is puruṣārtha or Kratvartha. The writers on Dharma-Śāstra like Vijñāneśvara and others have discussed this problem by employing different rules of interpretation. Vijñānesāwara in his commentary on the Yāj Smṛti I. 103 states that the Vaiśvadeva Karma is a case of Puruṣārtha and not of Kratvartha. Had it been the case of Kratvartha, then for every additional cooking, the performance of the Vaiśvadeva karma would have become necessary. Mādhavācārya in his gloss on the Parāśara-Smṛti agrees with Vijñānesvara and states that principle[6] of the Pūrva-Mīmāṁsā maxim' Pratipradhānam guṇāvṛttiḥ becomes inapplicable in the case under discussion. It is interesting to note that when this topic is discussed by Nīlakaṇṭha in his Acārā[7] Mayūkha p.69 he categorically states that the principle of the maxim 'Pratipradhānam guṇāvṛttiḥ' is totally inapplicable in the case of the Vaiśvadeva karma being a case of Kratvartha. It must be admitted here that the employment of the said maxim on the part of Mādhavācārvya has directly influenced Nīlakaṇṭha. This influence of Mādhavācārya on Nīlakaṇṭha is an important aspect deserving notice. It is further interesting to note that whatever explanation is given by Mādhavācārya in his gloss on the Paraśara-Smṛti Vol. I. p. 348, in explaining the 'Sandhyā-Snāna' by the use of the famous Mīmāṁsā maxim 'grahaṁ Sammārṣti' is followed Verbatim by Raghunandana in his Smṛti-Tattvas Vol. II and particularly discussing the Ekādaśī-Tattva on page No. 9.

It must be mentioned that Mādhavācārya stands well compared with Nīlakaṇṭha in the employment of the Mīmāṁsā technical term Upalakṣaṇa. Mādhavācārya has employed this principle at some

places of the Parasara- Smṛti. Here one may read with advantage Mādhavācārya's gloss on Parāśara- Smṛti Vol. II (which is Prāyaścitta-Adhyāya) PP 114,139 and Vol. III (which is Vyavahara-Adhyāya) pp. 225,233 etc. Here in resorting to the technique[8] of Upalakṣaṇa, Mādhavācārya has depended on the textual authority of the Smṛti literature. In this respect, he is also followed by Nīlakaṇṭha. When, however, for the absence of any smṛti authority, the upalakṣaṇa is resorted to by the predecessor, Nīlakaṇṭha is not happy to accept the same. In fact, he has rejected this kind of Upalakṣaṇa on the part of the authors of Dharma-Śāstra.

It must be pointed out here that at one place from the Parāśara-Smṛti XII. 4, we do not have any Mimamsa comments from Mādhavācārya. Nīlakaṇṭha has quoted a stanza from the Parāśara-Smṛti XII. 4. (This is Vol.II - Prayāścitta-Adhyāya. p. 365). Here in the reading adopted by Nīlakaṇṭha, we have the reading strī-śūdrasya in place of Vinmutrabhoji of the printed edition of the Calcutta Asiatic copy. This stanza lays down Pancagayya and snāna for the purification of a śūdra and a woman, in addition to the prājāpatya vow. Nīlakaṇṭha quotes the text of Jābāli to show that Pancagavya is only optionally laid down for women. And there is no specific reference to a Śūdra in the text of Jābāli. So Nīlakaṇṭha decides[9] that the employment of pancagavya with reference to a Śūdra is a nityakarma and with reference to a woman, it is optional. It is surprising that we do not find any Mīmāṁsā comment from Mādhavācārya for the simple reason that the reading he adopted is of no use to him for this purpose. Here one may quote one more case. Attention may be drawn to the Parāśara Smṛti VI. 64 (This is VI. 63 of the printed edition of the Asiatic Society, Calcutta, p.104). Here, though there is a slight difference in reading of Nīlakaṇṭha and Parāśara-Smṛti, yet it is Nīlakaṇṭha who has shown the Mīmāṁsā bent of mind. This verse lays down that if fast, vow, Homa, and bath, etc. are done by the brāhmana for a woman, then she will thereby get the fruit of them. Nīlakaṇṭha in his comments on this stanza says that this is incorrect. When the woman is unable to observe a vow, a fast or performance of a sacrifice or take a bath, then only she should get all these things done through her representative. But if, however, she is quite able

to do the things, she should not ask the brāhmaṇa as her representative to do all these things. Here Nīlakaṇṭha employs[10] the Mīmāṁsā technical term Niyama vidhi with reference to a woman totally unable to carry out the above mentioned things and gets the same done for her through the brāhmaṇa representative. Mādhavācārya has not touched this place from the Mīmāṁsā angle.

The question often arises whether the views of Mādhavācārya are followed by the later writers on Dharma-Śāstra particularly from the Mīmāṁsā-angle. Here one case may be discussed. In this case, Nīlakaṇṭha follows the opinion of Vijñāneśvara and Mādhavācārya. While discussing the topic of the worship of the brahmanas invited for the Śrāddha ceremony, Nīlakaṇṭha quotes a line from the Yājñavalkya-Smṛti. Now the question arises whether Udakam, gandham, mālyam dhūpa etc, are to be offereed to the Daiva and Pitrya brāhmaṇas by the mode of Padārthānusamaya or by the mode of Kāṇḍānusamaya. Nīlakaṇṭha expresses[11] his opinion that these things may be offered to the brāhmaṇas representing the manes, by the mode of Kaṇḍanusamaya. Nīlakaṇṭha further quotes a line from the Yājñavalkya-Smṛti in which the word tatah occurs. On account of the word tataḥ in the text of Yājñavalkya-Smṛti, Nīlakaṇṭha mentions that both Mādhavā and Vijñāneśvara hold that these things may be offered by the Kāṇḍānusamaya only. This discussion takes place in the Śrāddha-Mayūkha p.78.

The question also arises whether the view points of Mādhavācārya are criticised or disapproved by the later writers on Dharma-Śāstra or not. Here some discussion is possible. While discussing the causes of outcaste, Nīlakaṇṭha quotes a stanza from the Manu-Smṛti. This stanza[12] runs thus:- Patitārdha śarīrasya etc. This verse means that if the wife of a person drinks wine, then his half body becomes patita. And when his half body has thus become patita, no expiation is laid down for that case. Now the question arises whether the prohibition of drinking wine is laid down with reference to the brahmin wife of a brahmin husband or with reference to a śūdra wife of a brahmin husband. Here Nīlakaṇṭha quotes the two divergent view-points. Vijñāneśvara holds[13] that the text is applicable to a śūdra wife of a brahmin husband. While according to Mādhavācārya[14], the Niṣedha in Manu's text refers to the brahmin wife of a brahmin husband. In such a conflicting

position, Nīlakaṇṭha sides[15] with Vijñāneśvara and rightly points out that if the interpretation suggested by Mādhavācārya is accepted then there would arise the contingency of the statement of Manu becoming redundant. There would be one more difficulty in dissolving the compound 'patitārdha-śarīrasya as a case of bahuvrīhi compound. Hence Nīlakaṇṭha rejects the view point of Mādhavācārya on this count.

Kamalākarabhaṭṭa, the author of the Nirṇaya[17] Sindhu has criticised both Mādhavācārya and Hemādri in a matter of conflict on Dharma-Śāstra points. I prefer to mention the places in the foot-note.

The present author points out one more case of complete agreement between Mādhavācārya on the one hand and Mallinātha the celebrated commentator of the Raghuvaṁśam VIII. 73 on the other hand. It must be mentioned here that though both these writers have not referred to each other, yet they think alike. Both the writers hold that in the case of a meritorious person (a person who is properly carrying out his duties as per the rules of Dharma) the period of impurity gets decreased. On the death of Indumati, it is said that Aja become free from impurity on the 10th day as he is a meritorious king doing his duties very seriously and without any break in it. The only difference between Mallinātha's decision and Parāśara-Mādhava's decision is that Mallinātha on Raghuvaṁśam quotes the authority of the Parāśara-Smṛti. But Mādhavācārya quotes the authority of Vṛddha-Parāśara, in his gloss on the Parāśara-Smṛti-Ācārā Adhyāya p. 577. For a fuller discussion on this aspect, the attention of the readers is drawn to the present author's paper on 'Mallinātha's interpretation of the Manu-Smṛti V.83 published in the journal of Sri Venkatesvara University, Tirupati, Vol. 25, part 1-2 1982 pp.13-16.

Incidentally, however, it may be mentioned here that the Appendix section VII of the Chapter XXX in the History of Dharma-Sastra Vol.V. part II covering the pages 1339 to 1351 (though making references to the work of Parāśara Mādhava) is illustrative and not exhaustive. Here Dr. Kane has made a mention of the 'Yava-varahādhikarana nyāya of Jaimini's Pūrva- Mīmāṁsā Sūtra I. 3.9 and Dr. Kane's explanation of the same is on p.1239 of the above mentioned Volume. Dr. Kane, however, has not mentioned

the place of Parāśara-Mdāhava for the same. Actually this nyāya is found utilised[18] by Mādhavācārya in his Parāśara-Mādhava Vol.II (prayāścitta Adhyāya) p.107. In fact, it is possible to make the above appendix as exhaustive as one can. But this is the topic I reserve for some other occasion.

In conclusion, one would be perfectly justified in concluding that Mādhavācārya, though a thorough Mīmāṁsaka, appears to be a star of second magnitude in the employment of the doctrines of Pūrva-Mīmāṁsā to the domain of Dharma-Śāstra. In fact, he stands next to the celebrated authors like Vijñāneśvara, Nīlakaṇṭha, Aparārka, Śaṅkarabhaṭṭa, Raghunandana and others. However, he deserves a good place among the writers on Dharma-Śāstra, using Mīmāṁsā doctrines.

FOOT-NOTES

1. Na vidhauparaḥ śabdarthah' ity nyāyena ekādasāhasabdasya lakṣaṇayā asauca anantara-dina-paratva-anupapateḥ/Parāśara Smṛti Vol.I p.648.
2. Kerala-deśādau veśyagamane sāksibhiḥ āpadite pi deśācāravaśāt na ayam rājā daṇ-ḍyate/Parā-Śara Smṛti Vol.III. p.14.
3. Kārṇātakadese balāt matulasuta-vivāho na dosaya/Ibid. p.14.
4. Kerala-dese kanyayah rtumatitvam na dosah..../Ibid. p.14.
5. Anayoḥ pakṣayoḥ yathāgṛhyam vyavasthā/Parāśara Smṛti Vol.I p.439.
6. Kimca, Anna-saṁskāra-pakṣe pratipākam āvṛttiḥ prasajyeta, pratipradhānam guṇāvṛttiḥ' ity nyāyāt/Tasmāt, puruṣārthatvameva nyāyyam/Parā-Śara Smṛti Vol.Ip.346.
7. Na ca pratipradhanam gunavrtteh....ity Katyayanokteh/Nīlakaṇṭha's Acārā-Mayūkha p.69.
8. Atra phalaśabdena śākamūladīni upalakṣyante/Ata evam Yājñavalkyah ......Parāśara-Smṛti Vol.II.139.
9. Strinam pancgayasya vvihita- pratisiddhatvat vikalpah/Sudranam tu nityam bhavatyeva/Nīlakaṇṭha's Prāyascitta-Mayūkha p.27. (Gujarati Printing Press edition, Bombay)
10. Asaya praptesu japa-homa-adisu, asaktau vipra-rupa- prtinidhi-niyamarthatvat/-Prāyaścitta-Mayūkha p.26.
11. Also see-Śrāddha-Mayūkha p.78 (Gujarati Printing Press edition, Bombay).
12. .Patatiardha sarisaya yasya bharya suram pibet/patitardhasarivasya niskrtirna vidhiyate/Stanza from the Manu-Smṛti is quoted in the Prāyścitta-Mayūkha p.63.
13. Dvijatibharyayah sudrayaḥ surapana-nisedharthmidam ity Vijñānesvarah/ Prāyaścitta-Mayūkha p.63.
14. Mādhavastu-Brāhmaṇyādīnāṁ apiayam niṣedhaḥ/Ibid. p.63.
15. Tat na/Brahmanyādin prati pratiṣedhe vāco-vaiyarthya- patteh Bahuvrīhau lakṣaṇāpatteśca/Prāyaścitta-Mayākha p.63.

16. Also see:–Śankarabhaṭṭa's Dvaita-Nirṇaya/Ibid. p.63.
17. Kamalākara-Bhaṭṭa's Nirṇaya-Sindhu. pp.38,39,84 etc.
18. Yava-varāhā-adhikaraṇa Śāstrajñaprasiddha/Śāstrātho/grahitvyo na tu svecchāprasiddha ityāḥ/Parāśara-Smṛti Vol.II. p.107.

8

THE USE OF THE MĪMĀṀSĀ MAXIMS IN THE SMṚTICHANDRIKĀ OF DEVAṆṆABHAṬṬA

Devaṇṇabhaṭṭa the celebrated author of the digest known as the *Smṛticandrikā on the Dharma-Śāstra, flourished in the 12th century A.D. His probable date is treated as 1126 A.D., according to MM. Dr. P.V. Kane. The profuse use of the Mīmāṁsā rules of interpretations in removing contradiction in the texts of Dharma- Śāstra, is also a common feature of our author Devaṇṇabhaṭṭa. In this article, therefore, an attempt is being made to show how some of the new (new because they are very rarely used by others and especially used by our author) Mīmāṁsā maxims are applied by Devaṇṇabhaṭṭa in the course of his discussion in the Smṛticandrikā. The following is an attempt in this direction.

(1) *Ṛtvig Nyāya:-* This maxim is used by Śābara in his comments on Jaimini's Pūrva-Mīmāṁsā Sūtra III. 7.32-33. Here the important point is whether all the persons mentioned in connection with the Jyotiṣṭoma sacrifice are to be treated as priests or only some of them are to be treated as priests. Here the prima facie view is that as all the persons take part in the sacrifice, all the persons are to be considered as priests. But the accepted conclusion is that all the persons taking part in the sacrifice are not to be treated as

priests. Only the 17 persons are to be treated as priests. Here it should be noted that the etymological meaning of the word is not to be applied. Setting aside the etymological (Yaugika) meaning of the word, we have to resort to the conventional (Rūḍha) meaning of the word Ṛtvig. It becomes further clear that the conventional meaning is more powerful than the etymological meaning of the word. This view is also upheld by Āpadeva in his Mīmāṁsā-Nyāya-Prakāśa. In this respect, the commentary of MM. Vasudevashastri Abhyankar is explicit on this point and echoes the same view. In connection with these priests, the question arises as regards the fees to be accepted by them. The prima facie view is that all the priests should get equal fees. But the accepted conclusion is that there should be an unequal division of fees, as the division becomes available in the Vikṛti Yāga from the Prakṛti Yāga. The sentences, in this respect of the fees, from the Prakṛti Yāga, are explicit and solve this question. The principle of this Ṛtvig Nyāya is applied by Devaṇṇabhaṭṭa in his discussion on the topic of the Gains of learning that cannot be divided at the time of partition of the property. While discussing the topic of the gains that cannot be divided, Devaṇṇabhaṭṭa quotes the text[2] of Kātyāyana and also the view of Bṛhaspati. The wealth earned by the brāhmin from a pupil by way of tuition fees and also by acting as a priest for the sacrificial session is not to be divided at the time of partition. In this respect, our author makes the application of this maxim. Just as in the Ṛtvig Nyāya, the priests get the unequal share in the fees as per the sentences available in the Prakṛti Yāga, so also in the present case, the wealth obtained by the brahmin from the pupils and sacrificial session, become his property and not be divided.

(2) *Hotṛcamasa Nyāya:*– This maxim is also used by Śabara in his comment on the Pūrva-Mīmāṁsā Sūtra III.5.22. Here the priests Hotṛ, Brahman, Udgatṛ, the Yajmāna and the Sadasya are actually asked to eat the cup of Soma. The question arises whether the eating of Soma is to be done by these cup-owners or not. The prima facie view is that the priests should not resort to the eating or drinking of the cup of soma. The view point of the Siddhantin is that the priests must drink the cup of Soma. He further points out that by Samākhyā, we have to understand that the word camasaḥ indicates the vessel by which the Soma is drunk. The expression

Hotṛcamasaḥ will not serve any purpose, if the priest does not eat (drink) the Soma cup. The act of Hotra is to be followed by the other priests. This point is well brought out by MM. Dr. Ganganath Jha in his Mīmāṁsā-Maṇḍana[4] on the Mīmāṁsanukdramaṇikā. Now let us see how the principle of this maxim is employed by Devaṇṇabhaṭṭa in his Smṛticandrikā. While discussing the procedure about the ordeal of fire, Devaṇṇabhaṭa quotes the text[5] of Pitāmaha stating that about 9 circles should be formed for worshipping the gods. Yājñavalkya II.106 states the measurement of 16 finger for the circle to be formed. Further the presiding deities for these circles are also pointed out. Now the question arises whether the serval deities mentioned as presiding over the circles should be offered any worship or not. Our author answers this question by stating just as the following the principle[6] of the Hotṛcamasa Nyāya, the drinking of the Soma cup is to be made by the priests, in the similar manner, in the case of worship to be offered to the presiding deties of the circles, it will have to be admitted that they must be offered worship, by the Yajamāna.

(3) *Rātrisatra Nyāya:–* Śatra means a sacrificial session lasting for 12 days or more days. Here the sacrifice is laid down for that man who wishes to get some stability or fame in this world. It is important to note that even though in the line[7] the expression does not show any sign of a Vidhi, yet the adhyāhāra of the Vidhi is to be made here. The Rātrisatra Nyāya is on par with the Viśvajit Nyāya, because in both the sacrifices the independent fruit is imagined in the case of a yāga that is not subordinate to any yāga and that is not laid down in the context of any principal sacrifice. This point is made absolutely clear by MM. Vasudevashastri Abhyankar in his commentary[8] on the Mīmāṁsā-Nyāya-Prakāśa. This Rātrisatra Nyāya looks like a mere praise of the performance of the Rātrisastra, but really is a Vidhi about the reward of the Rātrisatra and states an exception to the rule that svarga is the fruit of a rite in which no reward is specified by the Vedic texts. Now let us see how our author Devaṇṇabhaṭṭa has applied this principle in the smṛticandrikā. While discussing the nature and time for the performance of the Kāmya-Śrāddha, Devaṇṇabhaṭṭa quotes the text[9] of the Viṣṇu-Purāṇa and states that the Kāmya-Śrāddha should be performed on a solstice, upon the equinox, on the

Vyatipāta day, the birth of the constellation and the eclipse of the sun and the moon. He further points out that the Samkrānti period is also capable of securing the desired fruit. The question naturally arises as regards the proper fruit for the performance of the Kāmya Śrāddha. Here our author points out that the extreme satisfaction of the manes is the proper fruit for the performance of the Kāmya-Śrāddha. Just as the stability is the fruit for the performance of the Rātrisatra Nyāya, in the similar manner, the extreme satisfaction of the manes is also regarded as the desired fruit for the Kāmya-Śrāddha performed either on the Saṁkrānti day or the period mentioned by the text of Viṣṇu.

(4) *Sārasvatau Bhavataḥ Nyāya:*– This maxim is also used by Śabara in his comments on Jaimini's Pūrva-Mīmāṁsā-Sūtra V. 1.14. Here there is a reference to the two Sārasvata offerings to be offered in the honour of Sarasvatī and Sarasvān. The question arises as regards the anteriority and posteriority of the offerings of oblations in the case of these deities. The prima facie view is that as there is no rule to determine the definite order of sequence, there should not be followed any restriction. Hence one may do as one likes. According to the Siddhantin, the Pūrva-Mīmāṁsā principle to be applied here is that the order in the subsidiary sacrifices is to be determined on the basis of the order laid down in the principal sacrifice. In the Hautrakāṇḍa, the Yājyānuvākya mantras give a preference to the performance of the sacrifice by offering an oblation in the honour of the female deity Sarasvatī. This is also supported by the Mantra Praṇo devī Sarasvatī vājebhiḥ vājinīvatī. Hence the accepted conclusion is that the offerings in the honour of the diety are to be offered first and then in the honour of Sarasvān. This point is also clarified by MM. Dr. Ganganath Jha in his commentary[11] Mīmāṁsā-Maṇḍana on the Mīmāṁsānukramaṇikā. Now let us see how far our author is succesful in making the use of this maxim in the Dharma-Śāstra. While discussing the right of the mother to inherit the property of a sonless man, the question arises whether the preference should be given to the mother or the father. According to Vijñneśvara as the text of Manu-Smṛti IX. 217 makes room for the mother, a room must be made for the mother. Vijñāneśvara further argues for giving a preference to the mother, in that she bears the child in the

womb and every person is having more veneration for the mother. In the ekaśeṣā dvandva compound, the preference is given to the mother. Even Pāṇini supports this stand-point. But Devaṇṇabhaṭṭa does not subscribe to the view of Vijñānśvara. He simply[12] holds that just as in the Sārasvatau bhavataḥ Nyāya, the proper order is shown, in the similar manner, in the matter of showing any preference to the mother over the father, there is no authoritative text available to us. Here it seems that the grammatical authority is not acceptable to our author Devaṇṇabhaṭṭa. It is interesting to note that Nīlakaṇṭha also makes the best use of the grammatical authority in deciding the point in the Dharma-Śastra. In this respect, one will have to read the important[13] discussion that occurs in the Vyavahāra Mayūkha.

(5) *Guṇalopa Nyāya:*– This maxim is used by Śabara in his commentary on Jamini's Pūrva-Mīmāṁsā Sūtra X. 2.63. In connection with the Ādhāna sacrifice, the Pavamaneṣṭis are laid down. In this, the offerings of cakes are made on eight pans by means of the sacrificial Agnihotra ladle. In this Ādhāna sacrifice, the sacrificial vessel is used. In the Pavamaneṣṭi, the offering of cakes by means of the Agnihotra ladle becomes available by the rule of transfer (Atideśa). But it must be remembered that in the Pavamaneṣṭi, there is no scope for the Agnihotra offerings. Now the question arises whether the said cooking be done or not as the Agnihotrahavanī is not available. Here the view point of the objector is that there is no scope for the cooking in the said Pavamaneṣṭi, as the vessel by which the offerings are made is not available in the Pavamaneṣṭi. The rejoinder of the Siddhantin is that the cooking things is the principal thing and the vessel by which the cooked offerings are made, is to be treated as subsidiary. In this context, the principle that is to be made applicable is that even though the subordianate element is dropped, yet the pricipal[14] thing is not thereby dropped. So, even though the vessel by which the offerings are to be prepared is absent, yet the offering of the cooked things can take place. This principle is utilised by our author in his Smṛticandrikā. At the time of performing the Śrāddha ceremony, sesamums are to be used. Devaṇṇabhaṭṭa further quotes the texts strongly recommending the use of Jartilas for the Śrāddha ceremony. He further holds that if, however, the Jartilas are not

available, then the sesamums may be used. Here Devaṇṇabhaṭṭa applies the principle[15] of the Guṇalopa Nyāya. Just as in this nyāya, on the omission of the subordinate thing, the principal thing is not omitted, in the similar manner on account of the unavailability of Jartilas, the sesamus may be used in the Śrāddha ceremony. Here it appears that our author is possibly relying upon the Bhūyasāmyam nyāya. It may be noted here that this Bhūyasāmyam nyāya[16] is also used by Vijñaneśvara in his commentary on the Yajññvalkya-Smṛti. This nyāya is again utilised by our author in his discussion on the Śrāddha Kāṇḍa of the Smṛticandrikā. While discussing the tithi for performing the Śrāddha ceremony in the case of a person who dies in an intercalary month, our author makes the application of the Guṇalopa nyāya. Intercalary month is not possible every year in the calender. Hence, there may arise the contigency of the nonperformance of the Śrāddha ceremony on any tithi in the case of a person who dies in an intercalary month. Here our author devaṇṇabhaṭṭa thinks that the tithi in an intercalary month is a subordinate thing and the performance of the Śrāddha ceremony is a principal thing, yet the principal thing is to be performed. So the natural conclusion[17] acceptable to our author is that the Śrāddha may be performed on the tithi on that month next year, though actually the tithi in an intercalary month is not available. Incidentally it may be again noted that the principle[18] of this maxim is again utilised by our author Devaṇṇabhaṭṭa in the Smṛticandrikā.

(6) *Yogasiddhi Adhikaraṇa Nyāya:–* This maxim is used by Śabara in his commentary on Jaimini's Pūrva-Mīmāṁsā Sūtras IV. 3.27-28. In the foregoing Adhikaraṇa, it is explained that all the desired results have been enjoined as following from the principal sacrifice. Now the question arises whether all the results are brought by a single performance of the sacrifice or by the separate performance. In this respect, the prima facie view is that all the results follow from a single performance. The Siddhantin holds that there is the regular succession. The result is brought about by the succession of the principal and the subordinate sacrifices. There is an inherent impossibility in all results, springing up simultaneously as there is an incongruity involved in it. Besides, for every result that is desired, there must be a separate performance. This point[19]

is well brought out by MM. Dr. Ganganath Jha in his Mīmāṁsā-Maṇḍana on the Mīmāṁsānukramaṇikā. Now let us see how this principle is utilised by our author Devaṇṇabhaṭṭa. He quotes verses[20] from the Yajñāvalkya-Smṛti I. 262-264, to show that the person desirous of particular fruit, should perform Śrāddha on the particular tithi of the dark-fortnight. He finally concludes that if anybody performs Śrāddha on the Amāvāsyā day, a man is likely to get all the different fruits that are laid down for performing the Śrāddha on the different tithis of the dard-fortnight. Here Devaṇṇabhaṭṭa makes the application of the principle of the[21] Yogasiddhinyāya and suggests that for every desired fruit, the Śrāddha should be performed on the different tithis. So it automatically follows that for getting a different fruit for the different tithis, one has to perform different Śrāddhas on the different tithis.

(7) *Aveṣṭi Nyya:*– The Aveṣṭi is a composite sacrifice that occurs in the context of the Rājasūya sacrifice that is to be performed only by the Kṣatriyas. Now the question arises whether the Aveṣṭi sacrifice is a part of the Rājasuya sacrifife or an independent sacrifice, and whether it should be performed by a Kṣatriya person or any other person belonging to the first three Varṇas. The prima facie view is that it should be performed by a person who is appointed to protect the people and who administers all the affairs of the kingdom. The etymological meaning of the word 'Rājā' is to be made applicable in the present case. Here the view point of the Siddhantin is that the Aveṣṭi is an independent sacrifice and not a part of the Rājasūya sacrifice, and as such it could be performed by any one belonging to the first three higher Varnas. This point[22] is well brought out by MM. Dr. Ganganath Jha in his Mīmāṁsā-Maṇḍana on the Mīmāṁsānukramaṇikā. Now let us see how this principle is used by Devaṇṇabhaṭṭa in his Smṛticandrikā. While discussing the duties of a king in a court, the question arises as regards the exact meaning of the word 'Rājā'. Our author quoting the texts[23] of Manu and Bṛhaspati, thinks that the word Rājā refers to any one performing the duties of a king and as such protecting the people etc. and not a Kṣatriya, following the principle[24] laid down in the 'Aveṣṭi Nyāya'. Just as any one belonging to the first three Varṇas, can perform the Aveṣṭi, in the similar manner, any

one of the first three Varṇas, appointed by the people, may carry out the duties of a king. Incidentally, it may be noted here that Śankarācārya has utilised this principle[25] in his commentary on the Brahma-Sūtra of Bādarayaṇa.

FOOT-NOTES

* References are to the edition of Smṛticandrikā by J.R. Grarpure, in the collection of the Hindu law texts, in 1918.

1. Rūḍeśca-avayavārthālocana-savyapekṣāt yogat balīyastvāt/Mīmāṁsā-Nyāya-prakāśa. p.112.
2. Upanyaste tu yatlabdham vidyayā paṇapūrvakam/Vidyadhanaṁ to tat vidyāt vibhāge na niyujyate/Kātyāyana Smṛti quoted in the Smṛticandrikā-Vyavahāra-Kāṇḍa. p.274.
3. Śisyat 'āptam gurupūjaratham ṛivik-nyāyna labehdam upadeṣtṛutvādina ladham/Ibid. p.274.
4. Evam ca 'hotracamsa' iti samakhyaya-eva hotṛakaṛtkam tatpātraviśeṣasthitasya somasya śeṣabhakṣaṇaṁ prāptam/Evamevaanyeṣaṁ camasinam Brahmādīnām/ Mīmāṁsā-Maṇḍana. p.114.
5. Agner-vidhiṁ pravakṣyāmi yathāvat-śāstracoditam/Kārayet maṇḍalānyaṣṭau purastāt navaṁ tathā/Pitāmaha-Smṛti quoted in the Smṛticandrikā-Vyavahāra-Kāṇḍa. p.111.
6. Tena praitu hotṛscamasa ityādi-praisamantrasthayā ityādi samākhyayā....tatra maṇḍale pūjanaṁ kāryam iti asmādeva vacanāt siddham/Ibid. p.112.
7. Pratitisthanti ha vai ya eta rtrirupayanti.
8. Yadyapi upayanti ityatra vidhipratyayo na śruyate tathpi tasya adhyāhāraḥ karya iti Ātreyo manyate iti Sūtrārthaḥ/Mīmāṁsā- Nyāya-Prakāśa. p.126.
9. The text of the Viṣṇu Purāṇa quoted in the Smṛticandrikā, p.380.
10. Saṁkrāntyādika-lakṣaṇa-guṇa-sādhyam phalamatra śrāddha-sandhyā-pitṛ-tṛuptāiśrita atiśayādhikyarupamiti ratrisatranyāyena avagantavyam/ Smṛticandrikā. p.380.
11. Dharmāṇaṁ ca mukyāygarthatvāt mukhyakrameṇaive kramo niyato bhavati/Tasmāt stri-yāgsyaiva dharmḥh pūrvam krāyāḥ ityeva kramo grāhya iti/Mīmāṁsā-Maṇḍana. p.196.
12. Cf:- Smṛticandrika p.297.
13. Also Read:- Vyavahāra Mayūkha p.111 (Dr. Kane's edition).
14. Na ca guṇalopena mukhyolupyate/Tasmāt na nirvāpasya bādha iti/Mīmāṁsā-Maṇḍana. p.327.
15. Praśastānāmabhāve guṇalopa-nyāyena jtāimtraśālīnām api updeyatvāt/ Smṛticandrikā p.483.
16. Cf:- Mitākṣarā on the Yājñavalka-Smṛti II.126.
17. Yadā tu dinadvaye' pyastagāminī tithirna bhavati tadā utterdyuḥ eva astagāmitvarupaguṇābhāve guṇaloparhābhāve sāṁvatsarikaṁ śrāddham kartavyam/Smṛticandrikā. p.379.
18. Also Read:- Smṛticandrikā p.375.
19. Mīmāṁsā-Maṇḍana. p.180.

20. Also Read:- Yājñāvalkya-Smṛti. I.262.
21. Amāvāsyāyām yogasiddhi-adhikaraṇa-ukta-nyāyanusareṇa krameṇa sarvakama iti/Smṛticandrikā. p.383.
22. Cf:- Mīmāṁsā-Maṇḍana. p.59.
23. Also Read Manu-Smṛti VIII.128 and VIII.13 and the text of Bṛhaspati quoted in the Vyahāra-Kāṇḍa. p.15.
24. Rājaśabdena cātra....rajasabdaprayogo rajakartari gauṇa iti aveṣṭi-adhikaraṇa evoktatvtā/Vyahāra-Kāṇḍa. p.15-16.
25. Cf:- Śānkarabhāṣya on the Brahma-Sūtra. III.3.50.

9

THE USE OF THE MĪMĀṀSĀ MAXIMS IN THE SMṚTICHANDRIKĀ OF DEVAṆṆABHAṬṬA

This is my second instalment on the use of the Mīmāṁsā maxims in the Smṛticandrikā of Devaṇṇabhaṭṭa. Incidentally, however, the comparison of our author with Vijñāneśvara and Nīlakaṇṭha and others is brought to the notice of the readers only to show the intelligence of the authors of the digests in the employment of the rules of interpretation to the domain of the Dharma-Śāstra.

(1) *Anuṣaṅga Nyāya:*– The principle of this nyāya is relied upon Jaimini's Pūrva-Mīmāṁsā Sūtra II 1.48. Anuṣaṅga actually means the extension of a word, phrase or clauses from one sentence to another, provided all those sentences are of the same type or form. While discussing the proper time for the puṇyakāla of the Śrāddha ceremony, Devaṇṇabhaṭṭa quotes the text[1] of Jyotirbṛhaspati, which lays down 30 nāḍis of the southern ayana and the 30 nāḍis of the northern ayana as the holy period for performing the puṇyakāla. Our author in his comments on this text suggests that it will be better if we make the anuṣaṅga (Syntactical connection) of the figure 30 in connection with northern ayana. Here Devaṇṇabhaṭṭa gives the reason[2] for arriving at this arrangement by suggesting that this may help us to avoid any contradiction with the text[3] of

Vasiṣṭha which recommends 30 nāḍis at the cancer and 20 nāḍis at the capricorn for the puṇyakāla. From this, it is evident that the absence of contradiction will be a better ground for resorting to anuṣaṅga in the opinion of our author. In this context, it will be proper to remember that for resorting to Anuṣaṅga, the thorough student of the Pūrva-Mīmāṁsā like Nīlakaṇṭha quotes an adequate passage from the smrti dicta available to him and also finds fault[4] with Hemādri for not supporting his view for the case of Anuṣaṅga by quoting the suitable passage from the Dharma-Śāstra in interpreting the text of Gobhila. Kullūka,[5] the Commentator of the Manu-Smṛti, also ranks in the list of such authors not quoting the Dharma-Śāstra texts for treating a particular text as a case of Anuṣaṇga.

(2) *Karmabhūyastvāt Phalabhūyastvam:–* This nyāya simply means that if we work more, we will also get the more glorious fruit. This nyāya can be explained[6] as below. It may be noted here that even Śābara in his comments on Jaimini's Pūrva-Mīmāṁsā Sūtra X.6.62 also brings out the same idea with the significant remarks[7]. While discussing the topic of the division of the property after the death of the father, our author Devaṇṇabhaṭṭa quotes the text[8] of the Nārada-Smṛti XIII.35 that lays down that one who exerts actively for the maintenance of the family, should get an additional share in the property of the father. Other brothers should also give an additional share to such an elder brother from their food, clothing etc. Devaṇṇabhaṭṭa in his comments on this text of the Nārada Smṛti suggests that this arrangement[9] is proper in keeping with the principle advocated by the maxim. This discussion takes place in the Vyavahāra Kāṇḍa of the Smṛticandrikā, page 264.

(3) *Bhūyasāmya Nyāya:–* This nyāya is relied upon by Śabara in his comments on Jaimini's Pūrva-Mīmāsā Sūtra XII. 2.22,. This nyāya simply means that where there is a composite sacrifice comprising several rites the various details of which present conflicts the procedure to be accepted is such as to secure the performance of the details common to the largest number. This principle is also utilised by our author Devaṇṇabhaṭṭa in his Smṛticandrikā. Here the original discussion on this Sūtra in the Pūrva- Mīmāṁsā is as follows:– in the fifteen-days sacrifice, the first day consists of one-day sacrifice and the three-days' sacrifices

consist of Jyoti, gauḥ and ayuḥ and the remaining 11 days are the modifications of the archetype known as Dvādśāha. When there is a conflict among the details of those 11 days' sacrifice and one-day sacrifice, the question arises 'which details are to be adopted'. The Subrahmaṇya verse at the Agniṣṭut sacrifice is Āgneyī and that of the other days is Aindrī. Here the prima facie view is that we should follow the details of one-day's sacrifice and hence the Subrahmaṇya verse should be Āgneyī. Here the Siddhantin points out that when there is a congregation, the course to be adopted should be such as to secure the details common to the largest number. It automatically follows that we have to accept the details of the sacrifice of 11 days and hence the Subrahmaṇya verse at all other days should be Aindrī and not Āgneyī. This is the siddhanta view[10] suggested by MM. Dr. Ganganath Jha in his Mīmāṁsā-Maṇḍana.

While discussing the two modes of Śraddha – the Ekoddiṣta and the Pārvaṇa- Devaṇṇabhaṭṭa quotes the texts of Jatukarṅya, Sumantu and Yājñalkya-to show that the Pārvaṇa mode alone is to be accepted. Devaṇṇabhaṭṭa further refers to the views of Sumantu that the Pārvaṇa mode alone is to be adopted. He also hints that few others refer to Ekoddiṣta mode. Here it seems that our author Devaṇṇabhaṭṭa relies on the Bhūyasāmya-nyāya advocated in the Pūrva-Mīmāṁsā-Sūtra XII. 222 and suggests[11] that when there are mutually contradictory rules of Dharma-Śāstra, the opinion of the majority shall have the force of the law. Hence we have to accept the Pārvaṇa mode of Śrāddha suggested by the texts of Jātukarṇya and Yājñavalkya and others. In this context, it will be proper to refer to the author of Mitākṣarā on the Yājñavalkya-Smṛti who enters into acute discussion on the point at issue and exhibits his profound scholarship and the outlook of an impartial judge by assigning the proper scope to the different texts laying down the different modes of the Śrāddha based on the local customs. Here one will be tempted to say that in introducing the hot debate on any highly technical point, our author seems to be far inferior to Vijñāneśvara, the master in the field of Pūrva-Mīmāṁsā, though our author has used many new Mīmāṁsā principles not used by the author of Mitākṣarā, the accredited master of the Pūrva-Mīmāṁsā. It will be a matter of pleasure to read the original discussion[12] on the modes of the Śrāddha ceremony introduced in

the Mitākṣarā by Vijñāneśvara in his comments on the Yājñavalkya Smṛti.

(4) *Viśeṣapratiṣedhaścas' śeṣābhyanujnānārtham nyāya:–* This nyāya simply means that the prohibition of a particular text is indicative of the permission of the remaining texts or the points at issue. This principle is employed by Devaṇṇabhaṭṭa in his discussion on the Śrāddha Kāṇḍa of the Smṛticandrikā. While discussing the things to be avoided at the Srāddha ceremony, Devaṇṇabhaṭṭa refers to the text[13] of Devala, which prohibits the use of Kanduram, white Vṛntaka and Kubhanda vegetables. While commenting on this text of Devala, our author thinks that the very fact that Devala has prohibited the use of white Vṛntaka, indicates that the other varieties of Vṛntaka are allowed by Devala in the Śrāddha ceremony. It seems that this decision[14] is arrived at our author, by following the principle of this nyāya of the prohibition of a particular things is indicative of the permission of the remaining things of the same category.

(5) *Sarvaśākhāpratyaya nyāya–occurs in the Jaiminīya-Nyāya:–* Mālāvistara on Pūrva-Mīmāṁsā Sūtra II. 4.8.32. Here the view point of the prime facie is that on account of the difference in name, form, branch etc. there should be a difference in the sacrificial action. The opponent further points out that the persons who study Kārirī Vākyas, take their meal on the ground. While the persons belonging to the other branches do not take food on the ground. Moreover, it is not possible for a man, having a very short life, to study all the branches in order to perform all the sacrificial activities. Hence the difference in branches, names etc. indicates the difference in sacrificial activities. The siddhanta view, however, is that even though there is a difference in the name, branch etc. yet this is not mainly responsible for the difference in the sacrificial activities. The prayojana of every rite is the same indifferent Sūtras and Smṛtis. As the rewards are the same, the materinal and the deity are same, the effort and the name also are same, one can rightly infer that the same rite is dealt with by the Vedic works. The established conclusion[15] therefore is that whatever is not in conflict with one's own branch or Sūtra, the same may be included in the rite one is about to perform; but if there is a conflict, then one should stick to one's own Sūtra or the family tradition. While

discussing the authority of Dharma and the nature of the Śrauta rite or the Smārta rite, the question arises whether all the secondary rites are also included in the same or not. Here Devaṇṇabhaṭṭa rightly suggests[16] that one should include that detail in the rite which is not mentioned in his own tantra or śākhā and that is not in contradiction with the family tradition maintained by him. It is interesting to note that Devaṇṇabhaṭṭa further quotes the text[17] of the Kātyāyana Smṛti in support. Kātyāyana holds that in the case of Gṛhya rites, one should perform them as per one's own branch and in connection with that rite, if any detail is mentioned in some other branch, one should incorporate the same in the performance of that rite. Thus Devaṇṇabhaṭṭa fully agrees with the view held by Jaimini in this respect.

(6) *Sāmānya Viśeṣa nyāya*:– This nyāya simply means that the scope of the general text is curtailed by the particular text. There is another nyāya akin to this nyāya and that is properly worded by Nīlakaṇṭha as below[18] in his Samaya Mayūkha Page 109. It is also interesting to note that this nyāya is also used by Raghunatha in his Nyāyaratnākara and referred to by Jocob in his Laukika[19] – Nyāyāñjali. Even the commentator Rāmeśvara-Bhikṣu used this nyāya in his comments[20] on the Arthasaṅgraha of Laugkṣī-Bhāskara. This nyāya comes very near to the principle of Upasaṁhāra used in the Pūrva-Mīmāṁsā. While discussing the time for the Puṇyakāla interval, Devaṇṇabhaṭṭa quotes the text[21] of Marīci which lays down sixteen naḍis before the Saṁkrānti and after also, at the mere sight of the Rahu, to be sacred. While commenting on the word Saṁkrānti occurring in the text of Marici, Devannabhatta says that even though the Saṁkrānti is regarded as the best period, yet we have to exclude the period of two equinoxes and the two ayanas. This viewpoint of our author is further substantiated by him by quoting the text[22] of Vasiṣṭha in support. Thus, the text of Marīci is regarded as a general one and the text of Vasiṣṭha is regarded as a special one and our author[23] has thus treated this as a case of Sāmānya nyāya.

While deciding the line of succession to the estate of a son dying without leaving him surviving any male issue, Devaṇṇabhaṭṭa quotes the texts of Kātyāyana and Manu. Here the compact series of heirs is pointed out by Yājñavalkya[24]- Smṛti II.135 is treated as

a general text. While the texts of Manu and Kātyāyana making provision for the mother of the father of a person dying without leaving him surviving a male issue, is treated as a particular one. Hence, our author applies[25] the principle of the Sāmānya viśeṣa to the present case and makes the room for the mother of the father of a person dying without leaving him surviving any male issue. In this context, it is worth nothing that Nīlakaṇṭha[26] in his Vyavahāra Mayūkha, applies the principle of the Āgantūnamante niveśaḥ nyāya in interpreting the text of Manu and makes room for the mother of the father of such a person dying without leaving him surviving any male issue. From this, it is clear that in interpreting the same text, both the authors have used the different rules of interpretation only to arrive at the same conclusion.

(7) *Hetuvat nigadādhikaraṇa Nyāya:–* Here nigada means a sentence or a sacrificial formula and the word hetuvat means containing a word or words indicative of the reason. This nyāya is introduced in Jaimini's Pūrva-Mīmāṁsā Sūtra I.2.26-30. In preparing food from the grains, the Śūrpa is required for winnowing them to free them from the husk etc., and the pan or the pot for boiling the grains and a ladle for stirring the grains when they are being boiled, are necessary. The Śruti passage provides that with the help of the Śūrpa, the homa is made Karambhapātras (pots full of husked grains of yava slightly fried on the Dakṣiṇa fire, ground and mixed with curds). If, however, the latter part of the passage contains a reason for the first part, then it would follow that the pot or ladle may equally be used instead of Śūrpa. It may be remembered that the object of the Vedic text is not to state the reason but to recommend and praise Śūrpa as the means of making the homa. So it follows that in the present case, nothing but Śūrpa can be enjoined in the making of the offering. The Siddhanta view[27] in this matter is that as the Veda is the final authority for any sacrificial matter, it never assigns any reason for any act but induces the people to do the same simply by praising the particular act. Hence this nyāya does not assign any reason for the use of the Śūrpa for the sacrificial purpose but it simply eulogizes the same and induces the people to do the same. While discussing the topic of the milk to be avoided by the person for the Śrāddha ceremony, Devaṇṇabhaṭṭa refers to the text[28] of Hārīta which lays down that

one should not drink the milk of the cow whose calf is dead by reason of her being immersed in grief, of one who has recently delivered, or by reason of her having the menses. Here the question arises whether the text of Hārīta mentions the reasons for not drinking the milk of such a calfless cow or whether this is a case of mere Arthavāda (glorification)? Devaṇṇabhaṭṭa gives his considered opinion[29] that this is not a mere Arthavāda condemning a particular thing but it emphatically states the reasons. Here one can casually note that the principle of the maxim 'Hetuvat nigaddhikaraṇa' cannot be applied to the present case. In the case of the Vedic text, it is not necessary to assign any reason for any act hence the prescription of the Śūrpa is merely glorificatory and not laying down any reasons. But in our present text of Hārīta, the reasons are specifically mentioned for not drinking the milk of a calfless cow. Hence in the opinion of our author Devaṇṇabhaṭṭa the principle of the maxim 'Hetuvat nigadādhikarṇa' cannot be applied to the milk of a calfless cow.

FOOT-NOTES

* References are to the edition of J.R. Gharpure, published in 1918.

1. Bhaviṣyatyayane puṇyāstriṁśadeva tu dakṣine/ Atīta uttare nāḍya iti prāhurmanīṣiṇaḥ/Text of Jyotirbṛhaspati quoted in the Smṛticandrikā-Śrāddhakāṇḍa. p.380
2. Anyath......vasiṣthavacana-virodhaḥ syāt/Ibid. p.381.
3. Triṁśat ca karkaṭe nāḍyo makare viṁśatiḥ smṛtāḥ/Vartamāne tulāmeṣe nāḍyastūbhayato daśa/Text of Vasiṣṭha quoted in Ibid. p.381.
4. Also Read:- Śrāddha-Mayūkha p.140 (Gujarati Printing Press edition, Bombay.)
5. Cf:- ghṛtaamagnau iti sarvatra anuṣaṅgaḥ/ Kullūkabhaṭṭa on the Manu-Smṛti VIII.106.
6. Adhikasya adhikaṁ phalam/
7. Dakṣiṇābhūyastvāt phalabhūyastvam/
8. Kuṭuṁbārtheṣu codyaktas-tatkāryam kurute tu yaḥ/ Sa bhrātṛbhirbṛnhanīyaḥ grāsācchādanavāhanaiḥ/ Nārada-Smṛti XIII.35 quoted in the Vyavahāra-Kāṇḍa. p.264.
9. Bhrātṛviśeṣasya karmabhūyastvamiti nyāyena samabhāgādabhyadhikena dhānyādiṇā vivardhanamitarairbhrātṛbhiḥ kāryam/Ibid. p.264.
10. Cf:-mīmāṁsā- Maṇḍana. p.487.
11. Ata evārtho jaimininā pyuktaḥ vipratisiddha-dharma-samavāye bhūyasaṁ syāt sadharmatvamiti pratyakṣaśruti-mūlatvāt/Smṛti-Candrikā-Śrāddha-Kāṇḍa p.498.
12. Cf:-Mitākṣarā on Yājñavalkya-Smṛti I.256.

13. Kandurāṁ śvetavṛntkaṁ kubhāṇḍam ca vivarjayet/ Devala- Smṛti quoted in the Śraddha-Kāṇḍa p.420.
14. Viseṣa pratṣsedhāsca śeṣābhyanujñānārtham iti nyāyena śvetataravṛtnāka-bhakṣaṇa-abhyanujña gamyate/Smṛti-Candrikā-Śrāddha- Kāṇḍa. p.420.
15. Tasmd ananyathāsiddhrupapratyabhijñānāt śākhābhede'pi karma na bhidyate/ Jaiminīya-Nyāya-Mālāvistara. p.108.
16. Nanu kimatra sakalasmārtangopasaṁhreṇa-anuśthnaṁ uta na yadi nopasaṁhārastadā sarvavedopasṁaharat uktaśrauta-yathāvidhiḥ/Smṛticandrikā-Āhnika-Kāṇḍa p.5.
17. Yat namnā tam svaśākhyāṁ pārakyam avirodhi cà/Vidvadbhistadanuṣṭheyam agnihotrādikarmavat/Kātyāyana-Smṛti quoted in Āhnikakāṇḍa. p.5.
18. Sāmānyavidhiaspaṣṭaḥ saṁhriyeta viśeṣataḥ/
19. Samanyavidhiaspaṣṭah samhriyeta visesatah/spaṣṭasya tu vidhernānyairu-pasaṁhāra saṁbhavaḥ/Laukika-Nyāyāñjali p.145.
20. Rāmeśvarabhikṣu on Arthasaṁgraha p.54 (Nirṇaya Sāgar edition).
21. Nāḍyaḥ ṣoḍaśapūrveṇa saṁkrāntenapareṇa ca/Rāhordarśanaṁatreṇa puṇyāḥ kālāḥprakirtitaḥ/Text of Marīchi quoted in the Smṛticandrikā-Śrāddha-Kāṇḍa p.381.
22. Puṇyākhyāṁ visṇupatnyāṁ ca prāk paścādapi ṣodaśa/Text of Vasiṣṭha quoted in the Śrāddha-Kāṇḍa p.381.
23. Ibid p.381.
24. Cf:- Yājñavalkya-Smṛti II.135.
25. Yattu Śaṅkhalikhitena uktam......tat sāmānya-Viśeṣa nyāyena vibhaktasaṁsthit-viṣayāt anyatra saṁsṛṣta-svaryatavisaye avatiṣṭhate ityavirodhaḥ/Smṛti-Chandrikā Vyavahāra-Kāṇḍa. p.299.
26. Cf:- Vyavahāra-Mayūkha p.143.
27. Cf:- tato heturvyarthaḥ/stutiḥ prarocanāya-upayuktā, tasmāt stutitvene-anvayaḥ/ Jaimīniya-Nyāya-Mālā-vistara p.25.
28. Cf:- Hatavatsāyāh śokāvistātv sutāyāh sarajaskatvāditi/text of Harita quoted in Smṛticandrikā-Śrāddha-Kāṇḍa. p.422.
27. Ibid. p.422.

10

THE USE OF THE MĪMĀṀSĀ AND POPULAR MAXIMS IN THE SMṚTICANDRIKĀ OF DEVAṆṆABHAṬṬA

I have discussed in this third article the seven Mīmāṁsā and popular maxims utilised by Devaṇṇabhaṭṭa in the course of his discussion in the Smṛticandrikā. Incidentally the comparison of Devaṇṇabhaṭṭa is also made with the other digest authors, like Mītramiśra, Pṛthavīcandra, Mādanaratna, Nīlakaṇṭha, Aparārka and Vijñāeśvara. An attempt is also made in this paper to show the 'respectable amount of similarity or dissimilarity between the modern law and ancient and medieval law in respect of interpretation or the principle of procedure of law.

(1) *Na vidhau Paraḥ Śabdārthaḥ* – Śabara has introduced this maxim in his discussion on the Pūrva-Mīmāṁs IV.4.19. Here it is laid down that Piṇḍapitryajña is to be performed on the next day of Amāvāsyā yāga which is a darśayāga. Now the question is whether Piṇḍapitṛyajña is subsidiary to the Amāvāsyā yāga or it is a pradhāna yāga. The prima facia view is that the Piṇḍapitryajña is a subsidiary yāga of the Amāvāsyā yāga, since it is laid down in the context of the Amāvāsyā yāga. The Siddhantin, however, holds that there is no authority to hold that it is an anga of the Amāvāsyā yāga. Moreover, in the Amāvāsyā yāga, there is a

reference to the time factor and in the darśayāgas, there is only an indicatory reference to the Piṇḍapitṛyajña. The conclusion[1] is that the Piṇḍapitṛyajña is a principal yāga meant for the beneficial interest of men. Śabara's comments[2] make it further clear that the word Piṇḍapitṛyajña in the present injuction can not be understood in the primary and secondary sense at one and the same time and in one and the same sentence. Hence the primary sense alone is to be accepted and it shows the proper name of the Yajña which is a pradhāna yajña. The principle of maxim 'phalavatsannidhau aphalaṁ tadaṅgam' can not be applied to the present case. One may note here that the importance of this nyāya comes very near to the Vṛttidvaya–Virodha nyāya generally employed in the Pūrva-Mīmāṁsā III. 2.1 and also by the authors on the Dharma-Śastra texts. The principle of this nyāya is utilised by Devaṇṇabhaṭṭa in the Āsaucā Kāṇḍa. While discussing the topic of the performance of the Ekoddiṣṭa Śrāddha during the period of impurity on account of the death of a person, our author quotes a text of Marīci laying down that it should be performed by the persons of all the castes only after the period of impurity is over. He further supports this view by quoting the view point of Viṣṇu. Then he quotes the text of Śaṅkha[3] enjoining that even though a person meets with another impurity during the period of the first impurity, he is supposed to be pure on the 11th day after the first impurity. For the performance of the Śrāddha only, he is pure and later on he again becomes impure on account of the second impurity. While commenting on the expression 'Ekādaśaḥ' in the text of Śaṅkha, Devaṇṇabhaṭṭa points out that if by implication it be understood as referring to the period i.e. a day after the period of impurity, even then it will not be correct. The expression 'Ekādaśaḥ' is not to be understood in two different senses particularly when the primary sense is quite possible. He simply gives his decisive opinion[4] that the Ekoddiṣṭa Śrāddha should be performed even by the Kṣatriyas on the eleventh day (after the impurity of ten days is over). Thus, Devaṇṇabhaṭṭa has correctly employed this principle of na vidhau paraḥ śabdārthaḥ in interpreting the word 'Ekādasaḥ' in the text of Śaṅkha.

(2) *Nāma Nyāya* – This is the maxim of names. This nyāya simply means that a partial reference to a name indicates a

particular person possessed of a particular attribute or a quality. This nyāya further implies that the qualities conveyed by the name are intended for the glorification of a person rather than for the purpose of devotion. It may be added here that Śankarācārya[5] in his commentary on the Brahmasūtra III.3.39 has employed this nyāya and stated that the word kāma stands for Satyakāma, Bhāmā stands for Satyabhama and datta stands for Devadatta. This nyāya is used by him to interpret the word kāma in the above mentioned sūtra of Bādarāyaṇa. It is further interesting to note that even Bālaṁbhaṭṭa Payagunde[6] has also utilised the principle of this nyāya in his commentary entitled Bālambhaṭṭi on the Mītakṣāra on the Yājñavalkya-Smṛti I.2, in interesting the word Kṛsṇa by pointing out that this word Kṛsṇa here refers to the special class of a deer otherwise known as black antelope. The nāma nyāya is also utilised by Devaṇṇabhaṭṭa in his discussion on the Śraddha Kāṇḍa of the Smṛticandrikā. While discussing the varieties of onions to be avoided by a person for the Śrāddha ceremony, Devaṇṇabhaṭṭa quotes the text of Suśruta[7], in which there is a reference to Palāṇḍu. He also quotes the text of Amarasiṁha and states that onion is called as palāṇḍu only as a general name as per the maxim of the name. The word palāṇḍu however, is used in the particular sense of Pharānda and palāṇḍu. Thus, the word palāṇḍu stands for Pharānda as per the principle of the nāma nyāya and particularly decided by our author Devaṇṇabhaṭṭa in his discussion[8] on the Śrāddha kāṇḍa of the Smṛticandrikā.

(3) *Pratinidhi nyāya* – This nyāya is employed in Jaimini's Pūrva- Mīmāṁsā VI 3.13-17. Here it is laid down that one who is desirous of wealth should offer the caru made up of mudga into the sacrifice. The question arises as regards the choice of any other substance on the occasion of the unavailability of Mudgas. Here the prima facie view is that if the mudgas are not available, a person may use the Māṣas which are also having the same amount of similarity of resemblance with the Mudgas. The established conclusion[9] is that if the material laid down for the yāga is not available, something should be substituted for the same and the yāga should be properly carried out. This view however is controverted by the siddhantin[10] in Jaimini's Pūrva-Mīmāṁsā VI. 3.20 where it is shown that if the thing or the material to be

substituted for the original is expressly forbidden, then it can not be used as a substitute, though it has some resemblance with the original. This nyāya is fruitfully employed by Devaṇṇabhaṭṭa in his discussion on the Śrāddha Kāṇḍa of the Smṛticandrikā. He quotes a text from some Smṛti [11] to show that the Agnaukaraṇavidhi is to be performed by a man who has maintained fire, either by the hand or the fire and particularly the Dakṣiṇagni. The question arises as regards the choice of the fire particularly when a person who has made the sarvadhana and also has gone on a journey. In this respect, Devaṇṇabhaṭṭa applies the principle of the above maxim and allows the Agnaukaraṇavidhi as a part of the performance for manes, to be carried out in the laukikāgni or in the hand of a dvija. This means that if, however, the gṛhyāgni is not available to a person, he may perform the Agnaukaraṇavidhi on a non-gṛhygāni i.e. laukikāgni i.e. the laukikāgni stands as a substitute[12] for the former i.e. gṛhyagāni. It should be casually borne in mind that the converse of this nyāya is utilised by Vijñānesvara in his Mitākṣarā on the Yājñavalkya-Smṛti II.126.

(4) *Yūpakarma Nyāya* – This nyāya is utilised in Jaimini's Pūrva- Mīmāṁs XI. 3.3-4. In the Jyotiṣṭoma sacrifice, there is a reference to the three animals and one pole. The poles are generally prepared from the trees of Palāśa, Khādira and Rohitaka. Now the question arises whether with reference to the three animals to be offered as oblations, there should be one pole or separate pole for a separate animal. The prima facie view is that in the Agṇisomīya yāga, a pole is directly laid down. In other cases, it becomes available by the rule of transfer and with reference to every animal, there should be a different pole. The siddhantin[13] however, holds that the idea of a pole is introduced not only in the Agniṣomiyā yāga but even before that. Following the principle of Tantra, there should be only one pole useful for all these animals. It may also be noted that all the actions of cutting, paring etc. are to be carried out in respect of only one pole. The principle of this nyāya is used by Devaṇṇabhaṭṭa in the Smṛticandrikā. Here Devaṇṇabhaṭṭa quotes the text[14] of Vyāsa as regards the qualification of a Purohita. The Purohita is a special officer appointed for the court matters. Here the question arises whether there should be different Purohitas possessed of different attributes or only one Purohita possessed of

all the attributes laid down by the text of Vyāsa. In the present case, our author makes the application of the above maxim and holds[15] that there should be only one Purohita possessed of all the attributes enumerated in the text of Vyāsa. He possibly feels that just as all the acts of cutting, paring etc. are carried out in respect of one pole, in the similar manner, all the different attributes should be possessed by one and the same Purohita. It may be noted here that the import of this nyāya comes very near to the import of the nyāya known as Aruṇā nyāya employed by Aparārka on the Yājñavalkya-Smṛti III. 205 and explained by the present author elsewhere.[16] On a closer comparison of both these nyāyas, it will be fair to conclude that instead of applying the principle of the Yūpakarma nyāya. Devaṇṇabhaṭṭa should have better applied the principle of the Aruṇā nyāya employed in Jaimini's Pūrva-Mīmāṁsā III. 1.12 for the enumeration of all the attributes. In the present Yūpakarma nyāya, however, it appears that there is the enumeration of all the acts to be carried out in the case of one and the same pole. As in the present text of Vyāsa, the enumeration of all the attributes in the case of one and the same Purohita is to be stressed, the principle of the Aruṇā nyāya would have become more fittingly applicable. The use of the Yūpakarma nyāya on the part of Devaṇṇabhaṭṭa can be treated as a glaring example of the slight carelessness in respect of the choice between the two nyāyas.

(5) *Samaṁ syāt Aśrutatvāt* – This nyāya is employed in Jaimini's Pūrva-Mīmāṁsā X. 3.53-55. The four principal priests are Hotṛ, Adhvaryu, Udgātṛ and brahman and each of these four have three assistants arranged in a particular order. Suppose that the hundred coins are to be distributed as fees among these 16 priests i.e. four groups of four priests each. Each group of four priests is assigned 1/4 i.e. 25 coins for Hotṛ and his assistants. The Hotṛ should get 12 coins and the three assistants should get 6, 4 and 3 coins respectively. The same method is applied to the other three groups. Here the prima facie view is that there should be an equal distribution of the fees among the priests. This stand point of the Pūrva- Pakṣin is not accepted and it is proposed that the fees should be actually distributed taking into account the proportion of the work done by each priest. The Siddhantin, however, holds[17] that both these views are unacceptable and that the distribution of the

fees should be in accordance with the meaning of the words ardhinaḥ, pādinaḥ etc. employed by the śruti passage. It may however, be noted in this respect that the view point of the prima facie is generally utilised by the authors[18] of Dharma-Śāstra for arriving at a conclusion on a debatable point particularly when no conflicting textual authority is available to them. We have in all four cases in which Devaṇṇabhaṭṭa has employed the principle of the nyāya known as Samaṁ syāt aśrutatvāt/.

(i) While discussing the topic of the debt to be recovered by the creditor from the several sureties standing guarantee for the debtor, Devaṇṇabhaṭṭa quotes the text[19] of the Yājñavalkya-Smṛti II. 55 which laid down that the sureties are liable only to that extent of the amount of which they are held responible. If at all, all of them are jointly and severally liable to the creditor, then the choice of the creditor prevails and he is free to recover the amount from any surety as per his free choice. Devaṇṇabhaṭṭa points out a case in which the creditor has no such choice to exercise and applies [20] the principle of the above maxim making it clear that all the sureties should pay equally to the creditor in view of their own shares. It is pertinent to note here that this nyaya is not at all employed by Vijñāneśvara on this portion of the Yājñavalkya-Smṛti, though he has employed[21] the same on the Y.S. II. 265. It may be added here that the above view point of Devaṇṇabhaṭṭa is followed by Mitramiśra in his Vyavahāra[22]-Prākāśa, though it is true that he has not used this nyāya in his commentary on the Yājñavalkya-Smṛti II. 55. It is further surprising that both Madanaratnapradīpa and Nīlakaṇṭha are passing over this point in silence. Pṛthivīcandra,[23] however, in his Vyavahāra-Prakāśa, has applied this maxim particularly when the creditor has the equal choice or some choice to proceed against any of the sureties. But the modern law does not accept the principle of this nyāya. The section 43 of the Indian Contract Act allows the creditor to recover the amount from any one of the sureties standing guarantee for the debtor and he in his turn should recover the same from the other sureties the necessary amount.

(ii) While discussing the topic of the partition of the property during the life-time of the parents the question arises as regards the distribution of the share among the parents and sons, Devaṇṇabhaṭṭa

quotes a passage from the Taittirīya Saṁhitā III.1.9.4 and shows that that even Manu made the equal distribution of his property among his sons. Our author Devaṇṇabhaṭṭa further holds[24] that this is in keeping with the maxim 'samam syāt aśrutatvāt' advocated in Jaimini's Pūrva-Mīmāṁsā X.3.53. This discussion takes place in the Vyavahāra Kāṇḍa of the Smṛticandrikā.

(iii) While discussing the topic of the distribution of a share in the case of a younger brother who is deceased, our author quotes the text of the Kātyāyana Smṛti enjoining share to his son. He further adds that if the deceased younger brother has many sons even then all of them are entitled to a share in his property. Now the question arises as regards the distribution of a share of a deceased younger brother among his sons. Devaṇṇabhaṭṭa has employed the principle[25] of the above maxim and shown that there should be the equal distribution of wealth among the sons of a deceased younger brother, unless there are some directions to the contrary. This discussion takes place in the Vyavahāra Kāṇḍa of the Smṛticandrikā.

(iv) While discussing the topic of the distribution of the number of brahmins invited for the Śrāddha ceremony, in respect of gods and three brahmins should represent the manes. If it be said that two brahmins should represent the gods and manes, Devaṇṇabhaṭṭa refers to a case of 7 brahmins invited for the Śrāddha ceremony. He further suggests that four brahmins should represent the gods and five brahmins for the manes, even then it would be unreasonable. Besides, it is not possible to have a commensurate division of five brahmins for the three manes, if at all the principle of the above maxim is to be applied. Hence Devaṇṇabhaṭṭa suggests that the distribution of four brahmins for the gods and the three brahmins for the manes would be made. In short, the principle of the above maxim 'Samaṁ syāt aśrutatvāt' can not be applied to the present case according to our author Devaṇṇabhaṭṭa. This discussion takes place in the Śrddha[26] Kāṇḍa of the Smṛticandrikā.

(6) *Śaṅkhavelā Nyāya* –.This is the rule of the simultaneity or concomittance. At a particular period of the day, a particular note of the conch is fixed to be struck and that by that particular note the particular period is inferred. So the simultaneity or contiguous order is indicated by the maxim. The fitting example of this nyāya

is that after the end of the month of Caitra comes the month of Vaiśākha. While discussing the topic as to when the Plaint can be revised, Devaṇṇabhaṭṭa quotes the text of Narāda[27] that so long as the answer i.e. the Written Statement in our modern legal terminology is not filed by the defendant, the Plaintiff can revise the plaint. It should not be supposed that the plaint can not be revised after the particular period. Devaṇṇabhaṭṭa simply suggests that the principle of Śaṇkhavelā[28] nyāya cannot be applied to the present case and rightly thinks that even if there is a delay in filing the Written Statement, yet it can be revised later on. In this context, it will be fair to point out that as per the Civil Procedure Code Order XX, rule 13 the Plaintiff is allowed to amend, alter, revise or add anything to the plaint not only in the suit but also in the appeal, provided the amendment is not contrary to what is already stated in the Plaint by the Plaintiff. One is here tempted to advance the view that our author Devaṇṇabhaṭṭa has not shown the comprehensive view in respect of introducing any amendment in the plaint.

(7) *Viśeśagrahanaṁ Viśeṣapratiṣedhārthaṁ Nyāya* – This nyaya is not a Mīmāṁsā nyāya. It is only a popular maxim. This maxim simply means that the affirmation of a particular portion is intended as an exclusion of another particular or the rest of the thing of the portion. J.R. Gharpure points out that the rule of the English logic is 'a particular affirmative implies a particular negative. e.g. He knows some portion implies the necessary deduction 'he does not know some other portion or the rest'. Our author has applied the principle of the above nyāya in his discussion on the Vyahāra Kāṇḍa of the Smṛticandrikā. While discussing the topic of the persons to be excluded from the ancestral property, Devaṇṇabhaṭṭa quotes the text of the Vasiṣtha[29] Dharma-Sūtra XVII. 52-54 laying down that those who have gone into another order shall not receive a share and also the impotent, the mad and the degraded. In interpreting the text of the Vasiṣtha Dharma-Sūtra, out author has applied the above maxim and shown[30] that the specific mention of the specific persons in the list of the above text implies their absolute prohibition in respect of a share in the ancestral property and perhaps the admission of other persons as entitled to have a share in the ancestral property. It may be noted here that the

principle of the above maxim is not at all utilised by Nīlakaṇṭha and even Madanaratnaparadīpa, though they have quoted the above text of Vasiṣṭha. It is worthy of note that J.R. Gharpure has also recorded in his foote-note another reading 'śeṣa' in place of 'Viśeṣa' but even then it does not change the meaning of the maxim.

FOOT-NOTES

References are to the edition of the Smṛticandrikā of Devaṇṇabhaṭṭa by J.R. Gharpure. For Āśauca Kāṇḍa (Mysore edition).

1. Tasmāt svayaṁpradhānabhūtaḥ piṇḍapitṛyajñaḥ puruṣārtha eva iti/Mīmāṁsā-Maṇḍana. p.189.
2. Anuvāde hi lakṣaṇā nyāyya nayvidhau/.....tasmāt na amavāsyā karmaṇāṁ saṁbandhaḥ/Ekasmin kāle eve karmaṇi parasparеṇa asambaddhe iti/Mīmāṁsā-Darśana. p.1278 (Anandasrama edition, Poona).
3. Ādyaṁ śrāddhamaśuddhȯ pi kuryāt ekādadaśe'hani/Kartustātkālikī śuddhiraśuddaḥ punareva saḥ/Text of Śaṅkha Smṛti Quoted in Āśauca Kāṇḍa. p.135.
4. Ibid. p.135.
5. Kāmāditi satyakāmāt ityarthaḥ/ Yathā Devadatto dattaḥ Satyabhāmā bhāmā iti/Śānkarabhāṣya p.745. (Niryana Sagar edition, 1934).
6. Smṛtyanurodhena kṛṣṇapadaṁ na guṇaparaṁ kimtu namaika deśe ity nyāyena mṛgajātiparam, mṛgapadam ca tatriva tātparyavāhakamityāha/Bālaṁbhaṭṭi-Ācāra p.4.
7. Smṛticandrikā-Śrāddha-Kāṇḍa p.415.
8. Ata eva Amarasiṁhena 'Palāndustu sukandakaḥ' ity sāmānyena nāma-nyāyenapi uktam/Smṛticandrikā-Śrāddha-Kāṇḍa pp. 415-416.
9. Śruta-dravya-apacāre dravyantaram pratinidhāya prayogaḥ kartavyaḥ/History of Dharma-Śāstra. Vol. V part II. p.1346.
10. Tasmāt na ete pratinidhātavyā iti/Mīmāṁsā-Darśana p.1420.
11. Also see: Śarddha-Kāṇḍa p.460.
12. Yadyapi nyāyato agneḥ pranidhi-abhāvaḥ tathā'pi na pratinidhi-nyāyena tu dākṣiṇāgnyādeḥ upādānam/Kiṁtu..... gṛhnyagnisādhyaṁ karma vidhīyato na kaścit dosaḥ/Ibid. p.460.
13. Tasmādek eva yūpaḥ trayāṇāmapi paśūnāṁ tantreṇa upakaroti-iti/Mīmāṁsā-Maṇḍana. p.460.
14. Rājā purohitaṁ kuryāt udīcyam brāhmanaṁ hitaṁ/Śrutā-dhyayanasampannaṁ alubdhaṁ satyavādinam/Text-vyasa Smṛti quoted in the Smṛticandrikā-Vyavahra-Kāṇḍa. p.15.
15. Ekatvamatra vivakṣitam/Yūpaṁ chinatti ititvat utpdyagatatvāt/Ibid. p.15.
16. J.G.J.R.I. Allahabad, Vol. XXXVI part 4, pp.47-48.
17. Also read:- Mīmāṁsā-Maṇḍana p.386.
18. Kullūka on Manu-Smṛti III. Mitākṣarā on Yājñavalkya-Smṛti II.265; Parāśara-Mādhava I.2. p.362 on Vyavahāra. p.204.

19. Bahavaḥ syuḥ yadi svāmśaiḥdadyah pratibhuvo dhanam/Ekacchāyā-śriteṣu eṣu dhanikasya yathruci/Yājñavalkya-Smṛti II.55.
20. Dhanika-ruci-aviśeṣe tu 'samam syātaśrutātvāt' ity nyyena atrāpi swāmsairdadyuḥ/Smṛti-Candrikā-Vyavahāra-Kāṇḍa p.152.
21. Mitākṣarā p.303 (Nirnaya Sagar edition, 1949).
22. Mitramiśra's Vyavahāra-Prakāśa p.251.
23. Also see:-Pṛtvicandra's Vyavahārà-Prakāśa p.229 (Bharatıya Vidya, edition, 1962).
24. Smṛticandrikā p.260.
25. Samaṁ syāt aśrutatvāt ity nyāyena mithaḥ samabhagatayā bhavet ityarthaḥ/ Smṛticandrikā p.278.
26. Also Read:- Smṛticandrikā. p.404.
27. Śodhayet pūrvapādaṁ tu yāvat na uttaradarśanam/Avaṣṭabdhasya uttareṇa nivṛttaṁ śodhanaṁ bhavet/Text of Narada quoted in the Smṛticandrikā p.40.
28. Na cātra śaṅkhavelā-nyāyena-uttara-dāna-kālātitauśśodhananivrttiriti śankanīyam/ Ibid p.40.
29. Anaṁśas tu āśramāntaragatāḥ/Klība-Unmatta-Patitāśca/bharaṇam klibonmattānām iti/Smṛti-Candrikā-p.272.
30. Atra viśeṣa-grahaṇam viśeṣa-pratiṣedhārtham ity nyāyena patita-āsramāntaragatavisayāsya pratisedho gamyate/Ibid. p.272.

11

MĪMĀṀSĀ IN THE BHAGWANTA BHĀSKARA OF NĪLAKAṆṬHA

In the domain of the application of the Mīmāṁsā maxims and technical terms to the Dharma-Śāstra, Nīlakaṇṭha, who flourished between 1610 and 1645 A.D., occupied an honourable position. Nīlakaṇṭha composed an encyclopaedia of religious and civil law, styled Bhagwanta-Bhāskara, in the honour of his patron, Bhagvantadeva, a Bundella chieftain of Sengara clan, that ruled at Bhareha near the confluence of Jumna and Chambal. In all, Nīlakaṇṭha has written 12 Mayūkhas. (1) Samaya Mayūkha, (2) Nīti Mayūkha, (3) Saṁskāra Mayūkha, (4) Ācāra Mayūkha, (5) Śrāddha Mayūkha, (6) Vyavahāra Mayūkha, (7) Dāna Mayūkha, (8) Utsarga Mayūkha, (9) Pratiṣtha Mayūkha, (10) Śuddhi Mayūkha, (11) Prāyaścitta Mayūkha, and (12) Śantī Mayūkha.

In this *paper* an attempt is being made to examine the extent of Pūrva- Mīmāṁsā employed by Nīlakaṇṭha in the course of his discussion in the 12 Mayūkhas and the position of Nīlakaṇṭha as a Mīmāṁsaka. The following features may be noted in connection with Nīlakaṇṭha as a Mīmāṁsaka.

Nīlakaṇṭha expressly criticizes the view points of his predecessors like Vijñāneśvara, Divodāsa, Raghunandana, Hemādi, Haradatta, the author of Dāyabhāga, Khaṇḍadeva, Bhavādava and his own revered father Śankarabhaṭṭa on the Mīmāṁsā technical points. Sometimes, after citing the two divergent opinions in the

matter under discussion; Nīlakaṇṭha passes over the point in silence. We get the examples of this kind in the Prayāścitta Mayūkha P.114 and Saṁskāra Mayūkha P.39. Though Nīlakaṇṭha-criticizes the peculiar view points of his predecessors, yet he is good enough to accept their view points on Mīmāṁsā technical points. In Samaya Mayūkha P.178, he agrees with the view point of his father Śankarabhaṭṭa and in the Saṁskāra Mayūkha P.57, he agrees with the view point of Medhātithi. Sometimes, however, after citing the two divergent opinions, Nīlakaṇṭha states which opinion is acceptable to him and gives reasons for his view. In this connection, we get the illustration on page No. 108 of the Vyavahāra Mayūkha, when Nīlakaṇṭha cites the two meanings of the word "Sadṛśam" offered by Kulcūka- bhaṭṭa and Medhātithi. Sometimes, however, in the course of his discussion, Nīlakaṇṭha, refers to the view points of some authors on the Dharma-Śāstra by using the expressions Ityeke or Ity Anye. We get the illustrations of this kind in the Prāyaścitta Mayūkha P.165 and Samaya Mayūkha P.187. Like Vijñāneśvara, he goes to the root of the subject and makes his comments on the Mīmāṁsā technical terms- Tantratā and Prasanga. Nīlakaṇṭha's contribution to the field is noteworthy. The application of the Mīmāṁsā maxim "Vidheyagataṁ Viśeṣaṇaṁ Vivakṣitaṁ" is rare and found in the Śuddhi Mayūkha P.48. Nīlakaṇṭha's introduction of the three varieties of Atideśa- Sāmya, Tadruppya, and Vācanika deserves meed of praise from the scholars. This is evident from the Prāyaścitta Mayūkha P.14. Nīlakaṇṭha's explanation of the term "Bhāvya" in the sense of *Bhāvyopayogī* is also happy as is clear from the discussion in the Vyavahāra Mayūkha. Nīlakaṇṭha throws light upon the technical terms Tantratā and Prasanga and this is also very happy. Nīlakaṇṭha's peculiar views on the Sūtras of Jaimini in connection with the Viśvajit sacrifice are also peculiar. Moreover, his view point that Tantratā is possible in the absence of the sameness of agents is peculiar; but at the same time it finds support from the text of Nārada. Moreover, it must be made clear that the idea of deduction of something from the original case (prakṛti) to the extended case (Vikṛti) is suggested by Vijñāneśvara in his comments on the Yājñavalkya-Smṛti III 232. Haradatta in his commentary on the Āpastamba-Dharma-Sūtra draws upon this idea

and suggests half of the original to the extended case in the light of the Smārta Nyāya and this idea is properly used with some additions by Nīlakaṇṭha in his introduction of the three varieties of Atideśa in the Prāyaścitta Mayūkha.

In the course of his discussion, Nīlakaṇṭha has used about 29 Mīmāṁs and popular maxims and 52 Mīmāṁsā technical terms. Here for the sake of brevity, I give below the idea of principle employed by Nīlakaṇṭha and its application to the case of Dharma-Sāstra. Needless to say that it will not be possible for me to give all the illustrations of one principle. As far as possible, I will give the illustration from the Vyavahāra Mayūkha if available and in its absence from the other works of Nīlakaṇṭha mentioned above. This is particularly done by me because the text of Vyavahāra Mayūkha is prescribed as a text for the post-graduate studies. Moreover, I will have to drop some of the Mīmāṁsā technical terms here to avoid prolixity and this is also done against my sweet will.

(1) *Aṅge phalaśṛtiḥ Arthavādaḥ:*— This Nyāya means that— whenever any special fruit is laid down for an angakarma, then it amounts to an Arthavāda i.e. glorification. This glorificatory passage is not to be literally interpreted. While discussing the topic of Aṣṭamī-sāmānya Nirṇaya, Nīlakaṇṭha quotes verses from Bhaviṣ yat Purāṇa. These verses mean that one who worships the Lord Viṣṇu on the Aṣṭamī day, all his sins of three lives will be destroyed. And the fast observed on that day, after worshipping Viṣṇu does not bring about the downfall of that man. Here it is to be noted that worship is principal and the observance of the fast on the Aṣṭamī day, is subsidiary. Even though the fruit in the form of the absence of downfall is laid down for the fast, yet this must be understood as mere glorificatory, following the principle laid down in this nyāya in the samaya Mayūkha P.47.

(2) *Anuṣaṅga Nyāya:*— This nyāya means that the extension of a word, phrase or clauses from one sentence to another sentence is done, provided all those sentences are of the same type or form, and satisfy desirability, fitness and proximity. While discussing the topic of the succession to the property of a reunited member of the Joint Hindu family, Vijñāneśvara understands the line "Saṁsṛṣṭinah tu saṁsṛṣṭī etc. Yaj. II.138, by making the anuṣaṅga of the words "Svaryatāsya and aputrasya from the Yāj.II.135.

Nīlakaṇṭha however, does not agree with Vijñāneśvara and holds that this is not a fit case of Anuṣaṅga, in as much as even without making the anuṣaṅga, the required results can be obtained. On the contrary, if we resort to Anuṣaṅga, the following absured results would follow. If aputrasya is connected as applied, then the result would be that of two sons or a son and a grand-son, one of whom is reunited with the father, and the other is not reunited, both will be entitled to the same share on their father's death. And this verse will have no application to a deceased reunited member who dies leaving sons. And this would be also opposed to popular usage. Moreover, the required results can be had by referring to the text of Vṛddha Manu in respect of Svaryātasya and secondly by referring to the latter part of the stanza in respect of aputrasya. This is evident from the discussion on the Vyavahāra Mayūkha P.147. Other illustration of Anuṣaṅga Nyāya we get in Śrāddha Mayūkha P.55, 140 and 150.

(3) *Āgantūnamante niveśaḥ nyāya:*— The exact import of this maxim is that when certain persons are specifically invited for a meeting or dinner, they are seated on seats definitely allotted to them, but those who come uninvited, are assigned places at the end of the rows of those who are specifically invited. While discussing the line of succession to the property of a person after this death, the compact series of heirs from wife to brother's son is laid down. But Manu (IX.217) has made a room for the paternal grand-mother. Our author holds that she cannot be assigned a place, by breaking the compact series of heirs. The best remedy to make room for the paternal grand-mother is to give her the place at the end of the brother's son, following the above maxim. This is clear from the Vyavahāra Mayūkha. P.143.

(4) *Avirodhāt Sāmānyāt itareṣu tathātvaṁ:*— This maxim means that on account of the absence of conflict or on account of the presence of similarity, the same procedure is to be followed in other cases. While discussing the topic of Jīvatśrāddham, our author says that a living person who desires to perform his śrāddha, should offer the following things of different sizes, prepared from different metals, upto the gift of the gold, as per one's ability or capacity. Nīlakaṇṭha further says that the rest of the procedure is to be followed in the case of Jīvatśrāddha of as living person from

Jaladhenuvidhi laid down in the verses of the Visnu- dharmottara, which are quoted by Nīlakaṇṭha on Page Nos. 160-161 of the Śrddha Mayūkha, as there is absence of conflict in the two modes.

(5) *Uddeśyagataṁ Viśeṣaṇam Avivakṣitam* :— The exact import of this maxim is that the attribute of the subject is not literally intended to be stressed. While discussing the topic of the ordeals to be performed by a person who has committed serious offences, Nīlakaṇṭha makes a reference to the verse from Kālikā Purāṇa. In it, the word paradārbhiśāpa occurs. Here abhiśāpaḥ is the subject and paradārā is the adjective. Here our author concludes that the adjective or attribute paradārā of the subject abhiśāpa is not literally intended to be stressed. The other illustrations of this kind we get on page Nos. 90 and 132 Vyavahāra Mayūkha, and P.233 Prāyaścitta Mayūkha, Śuddhi Mayūkha P.42 Śrāddha Mayūkha PP.24, 118 and 147. But we get the three cases where the present maxim Uddeśyagatam Viśeṣaṇaṁ avivakṣitaṁ is not followed by Nīlakaṇṭha. This happens in the Dāna Mayūkha P.14, Śuddhi Mayūkha P.48, and Saṁskāra Mayūkha P.68.

(6) *Ekasya tu ubhayatve saṁyogapṛthaktvam*–:- This maxim means that the separate mention of one thing in the context of two different things, can be properly connected with two different things. While discussing the topic of the five great sacrifices Nīlakaṇṭha quotes a passage to show that Vaiśvadeva karmas is for the purification of oneself. He further quotes another passage to show that Vaiśvadeva karma is for the purification of food. Here Nīlakaṇṭha, making the application of the present maxim makes it evident that the Vaiśvadeva karma is both for the purification of oneself and the food. This discussion takes place in Ācārya Mayūkha P.69.

(7) *Kapijañla Nyāya*:— This Nyāya simply means that by the plural number, the number three is to be understood and not any other number from 3 onwards at one's option. While discussing the topic of the time for the coronation of a king, the king is advised to sip the juices, offer dakṣiṇā to the brahmins and chant the mantras. The plurality of the juices, mantras and the brahmins is to be understood by the figure 3 only and not more, in this case, following the principle laid down in the Kapiñjala Nyāya. We get

the other two more illustrations of this nyāya in the Prāyaścitta Mayūkha PP.102 and 173.

. (8) *Kākākṣigolaka Nyāya–*:- This nyāya simply means that the crows are popularly supposed to have one eye, which when an occasion requires, moves from one socket into that of the other. Thus, one thing serves the double purpose. While discussing the topic of the time of partition of the heritage, Nīlakaṇṭha quotes verses from the Nārada Smṛti XVI.2.3 According to our author, in these verses, the expression "māturnivṛtterajasi" and with the succeeding clause "nivṛtte cāpiramaṇe". Thus, it means that giving away of the sister in marriage must have preceded when the partition takes place, after the cessation of mother's desires, or after the cessation of the sexual desires of the father. This is clear from the Vyavahāra Mayūkha p.95.

(9) *Kaimutika Nyāya*:— This maxim means that where a conclusion will fortiori follows as regards certain matters, when it is conceded that it does follow in certain other less important matters. This passage occurs in the Vyavahāra Mayūkha P.241 and Nīti Mayūkha P.99. The matter under discussion was the killing of an ātatāyī person. The words vā and api occuring in the texts of Manu and Kātyāyana, indicate that if an ātatāyī i.e. a rash person-particularly a brahmin may have to be killed, then what to talk of other rash persons belonging to the lower castes. This simply means that if the rash brahmin may have to be kiled, then the other rash persons belonging to the lower castes must be killed. We get the other instances of this maxim in the Śuddhi Mayūkha P.42, and Samaya Mayūkha p.73.

(10) *Gobalīvarda Nyāya*:— In such sentences as "gāvaḥ āniyantāṁ balīvardāca" the separate mention of the bulls that are really included under gāvaḥ is due to the fact that the bulls are intractable than the cows and invite our special attention to them. While discussing the topic of the Vyavahāra padas, Nīlakaṇṭha quotes a verse from Bṛhaspati smṛti, which mentions 4 kinds of sāhasas. Even though steyam and paradārābhimarśanaṁ are mentioned in the 4 kinds of Sāhasas, yet Manu makes a separate mention of steyam and strīsaṅgrahaṇam. These two words are specifically and prominently stated by Manu, in order to invite our special attention to them, because these two are more dangerous,

following the principle of this maxim. We get other examples of this Nyāya in the Nīti Mayūkha PP.78, 86 and Śrāddha Mayūkha P.49.

(11) *Jāteṣti Nyāya*:— This maxim lays down that stanaprāśana is to be done after jātakarmasaṁskāra. And the Jāteṣṭī must be performed after the Jātakarma and stanaprāśana. Here it is observed that jāteṣṭī is to be postponed to the time of passing away of the period of impurity of the Yajamāna. Jāteṣṭī is nitya in all cases where the birth of a son has taken place. But it is also Kāmya, inasmuch as several rewards are separately laid down for the same. Here evidently, the naimittika karmans also are included under the term nitya. While discussing the topic of sālaṁkṛtikanyādāna, our author, says that this is both nitya and kāmya like the Jāteṣṭī karma. Here our author has incidentally made a reference to the Jāteṣṭī Karma. This occurs in Saṁskāra Mayūkha P.103.

(12) *Tatprakhya Nyāya*:— This maxim becomes useful to us to decide whether a word in any sentence is a proper name of a Vidhi or not; otherwise we will have to assume that rite as a subsidiary rite i.e. a guna vidhi. While discussing the topic of sandhyāvandanaṁ, our author refers to the text of Atri. In this verse, the word sandhyā occurs. On the basis of the above maxim, Nīlakaṇṭha concludes that the word sandhyā occurring in the text of Atri, is the name of a rite, because the sandhyākarma has brahmaloka as its fruit. The sandhyākarma has the Āditya as the diety. So it cannot be regarded as a guṇavidhi i.e. a subsidiary rite. Hence Sandhyākarma is the name of the rite, following the principle laid down in this maxim. This occurs in the Ācāra Mayūkha P.53.

(13) *Daṇḍāpūpikā Nyāya*–:- The exact import of this maxim is as follows: Daṇḍa means a stick. Apūpas are the cakes. These cakes were placed on a stick. If a mouse gnawed the stick, it would follow, as a matter of course, that the cakes thereon, also would be eaten by the mouse because the cakes are soft as compared to the stick. While discussing the topic of the concealment of the paternal wealth, our author refers to the text of Manu IX.213, and concludes that if the elder brother incurs blame in the event of his trying to conceal the paternal wealth of younger brothers, then the younger brothers would incur more blame if they try to conceal or swallow

the paternal wealth of their elder brother. This discussion takes place in the Vyavahāra Mayūkha P.131.

(14) *Dehalī-dīpakā Nyāya*:– The principle of this maxim is that a lamp on the threshold of both of the rooms castes light both inside and the outside the house or which lights the two consecutive rooms at one and the same time. While discussing the topic of the shares of the members of the joint Hindu family, our author quotes a verse from Yājñavalkya-Smṛti II.139 and says that in the interpretation of the above verse, we will have to construe the expression "aṣaṁsṛṣṭyapicāadadyāt with the preceding clause anyodarastu samsṛṣṭī etc. and also with the succeeding clause. Thus, the above expression serves the double purpose. This discussion takes place in the Vyavahāra Mayūkha P.149.

(15) *Na tau paśau karoti*:— This nyāya means that the prohibition of the two ājyabhāgas in the animal sacrifice and in the soma sacrifice is either a Niṣedha or a Paryudāsa or an Arthavāda. The conclusion is that this prohibition is neither a niṣedha nor a Paryudāsa. But it is a case of Arthavāda. This is so, because the prescription of two ājyabhāgas, which is necessary for either of the two, is impossible. Therefore, this must be considered as an Arthavāda.

While discussing the topic of the right of the son, whose father is alive, to offer the rice-balls, our author quotes a verse from Sumantu and Hārīta, to show that the son whose father is alive, should give rice-balls to those persons only to whom his father used to give or would have given the rice- balls. Afterwardś, Nīlakaṇṭha again quotes a verse from the Smṛti of Kauṇḍinya, which expressly prohibits the son whose father is alive, from performing the gayāśrāddha etc. This verse means that the son cannot perform these śrāddhas, if at all he becomes the representative of his father i.e. he can perform these Śrāddhas by himself. Our author again quotes another verse from the smṛti of Kauṇḍinya which prohibits a son whose father is living or alive, from performing the śrāddha which is Kāmya. On account of the availability of both the types of texts one allowing jīwatpitṛka to perform the Śrāddha and the other text prohibiting him to perform the same, we have to resort to an option, following the principle laid down in the nyāya "Na tau paśau karoti". This is the case where the principle laid down

above in the maxim is not followed by Nīlakaṇṭha. This discussion takes place in the Śrāddha Mayūkha P.44.

While discussing the topic of time, place and the agent for the Śrāddha ceremony, Nīlakaṇṭha quotes a verse. This verse simply means that when the Śrāddha is to be performed either in the dakṣiṇayana or in the Uttarāyāṇa, or when the sun enters the zodical signs of Meṣa and tulā or when the Śrāddha is to be performed on the samkranti day, it should be performed without offering the piṇḍas. The Piṇḍadāna is available in these cases in the prakṛti. While in the Vikṛti, it is not available. Now the question is whether this a case of option, following the principle laid down in the maxim "na tau paśau karoti" or whether this is a case of Arthavāda or whether it is a case of Paryudāsa. Nīlakaṇṭha, however, anticipates the view point of the prima facie that this should be treated as a case of Vikalpa i.e. option on the basis of the maxim "na tau paśau karoti." But our author, however, does not subscribe to this view. He points out that this is not a case of option on account of the absence of syntactical connection between the two and also on account of the absence of Paryudāsa. On the contrary, this can be treated to be a case of Paryudāsa, because the availability of Piṇḍadāna is already possible in the case of Śrāddha to be performed on the Saṅkrānti day and also on account of its negation or prohibition in the present verse quoted by our author. Thus, in conclusion, it is rightly pointed out by our author that this, however, is not a case of Vikalpa or option but on the contrary it must be regarded as a fit case of Paryudāsa. This discussion takes place in the Śrāddha Mayūkha P.47.

(16) *Nāgṛhītaviśeṣaṇa Nyāya*:— This nyāya simply means unless the attribute i.e. viśeṣaṇa is properly understood, the viśiṣṭa cannot be understood. While discussing the topic of the means of acquiring ownership, our author refers to the text of Gautama-Dharma Sūtra X. 39-42, in which the word riktha occurs. Here riktha means wealth which is characterised by the extinction of the previous owner's right on his death as the word riktha is mentioned along with other words which convey only the means of acquiring wealth and not wealth itself. Here, the wealth is being qualified by the Viśeṣaṇa namely the extinction of the previous owner's right i.e. swāmīsvatvadhvaṁsa. Our author concludes that unless the Vise-

aṇa i.e. swāmīsvatvadhvaṁsa is properly understood the viśiṣṭa i.e. wealth cannot be understood. This discussion takes place in the Vyavahāra Mayūkha P.89.

(17) *Nimittagataṁ Viśeṣaṇaṁ avivakṣitam*–:- This nyāya simply means that the adjective of the nimitta i.e. occasion is not literally intended to be stressed. While discussing the topic of tilaniṣedha, our author quotes a verse from the Baudhāyana Smṛti. This verse lays down that if any one makes the tarpaṇa on sunday which happens to be the 7th day and on the anniversary day of the father and mother, then he becomes the destroyer of the manes. According to some scholars on the Dharm-Śāstra, the expression saptamī-ravi-viśiṣṭam is an occasion. But Nīlakaṇṭha thinks that it is incorrect. There is no authority to hold the relation of viśeṣaṇa and viśiṣṭa in this sentence. Moreover, even if the expression saptamyām ravivāre is considered as an adjective of the nimitta i.e. occasion, yet is can be said that the adjective of the nimitta is not literally intended to be stressed. Just as in the sentence "yasyobhayam havirārtimārcchet" the word ubhayam is not literally intended to be stressed, in the similar manner, here also the adjective of the nimitta is not literally intended to be stressed. This discussion occurs in the Ācāra Mayūkha p.78.

(18) *Niṣadasthapati Nyāya*:— The compound niṣādasthapati should be dissolved as the ṣaṣṭhītatpuruṣa compound according to the view point of the prima facie. But the siddhantin points out that this compound must be dissolved as the karmadhārya compound i.e. niṣadaḥ ca asạu sthapatiḥ ca and not as the ṣaṣṭhi tatpuruṣa compound. If the compound is dissolved as the karmadhāraya compound, then it means that niṣāda is a person, belonging to the niṣāda caste and who also happens to be the chief of the niṣadas. Such a type of niṣadasthapati may acquire the essential knowledge of the Vedas from the then available teacher and perform the raudreṣṭi. Moreover, he is specially allowed to perform the raudreṣṭi by the express text of the Vedas. While discussing the topic of the gift and acceptance of a thing in the case of a Śūdra person, our author points out that even though a Śūdra has, ordinarily no right for gift and acceptance, yet he must be understood as being given this right for this purpose by the smṛti text such as śūdrāṇām śūdrajātiṣu, following the principle of this

maxim. This discussion takes place in the Vyavahāra Mayūkha.P.112.

(19) *Puṣaprapiṣṭatā Nyāya*:— This maxim means that grinding which is generally prohibited in all the prakṛti and vikṛti yāgas, including those consisting of paśu and purodāśa offered to Pūṣan. This Pūṣaprapiṣṭatā nyāya has been incidentally referred to by our author. While discussing the topic of the period of one impurity falling within the period of another impurity, our author says that the separate observance of the second impurity which falls within the first impurity, is strictly prohibited. But an exception to this sulotuk is pointed out that whenever another impurity falls within the period of the earlier impurity at the end of the last night of the first impurity, there is a separate rule that the second impurity must be observed for 2 or 3 days as the case may be. Thus, some lāghava is brought to this, because this becomes a fit case of pratiprasava (i.e. exception to the negative rule) on account of the use of the pūṣaprapiṣṭatā nyāya in the present case. This discussion occurs in the Śuddhi Mayūkha P.75.

(20) *Pratipradhānaṁ guṇāvṛttiḥ*:— This nyāya states that subordinate act is to be repeated in the case of each principal thing while discussing the topic of the five great sacrifices, the question arises whether there should be the repetition of the Vaiśvadeva Karma with reference to every additional cooking, when it becomes necessary or whether it should be performed only once. Our author says that in the matter under discussion, the Mīmāṁsā maxim "Pratipradhānaṁ guṇāvṛttiḥ is inapplicable, in as much as the Vaiśvadeva karma is for the beneficial interest of a man and not for the beneficial interest of a kratu. The above discussion occurs in the Ācāra Mayūkha p.69.

(21) *Prathama-tyāge-kāraṇābhāvāt*:— In this nyāya, it is stated that in the absence of a special reason, the first item in a series, is not to be omitted but it is to be taken. While discussing the topic of the performance of the five great sacrifices, our author quotes a verse from the text of Āśvalāyana.. In it, the expression "ekastu caturo yajñān kuryāt vāgyajnapūrvakān" occurs. Here the question arises as regards the exact mode of interpreting or explaining the compound vāgyajñapūrvakān. Here the question arises as regards the exact mode of interpreting the compound vāgyajñāpūrvakān

This Compound may be dissolved in two ways. In the tadguṇasamvijñāna bahuvrīhi, the individual indicated by the two words, forming the bahuvrīhi compound, is not apart from what is the import of the two words. If we dissolve the compound vāgyajñāpūrvakān as tadguṇa bahuvrīhi compound, then vāgyajna would be included in the expression caturoyajñān. If however, the compound vāgyajñāpurvakān is dissolved as atadguṇasaṁvijñāna bahuvrīhi compound, then it is to be noted, in the first place, that in this kind of compound there is no connection by the two words of the compound in the individual denoted by the compound. In that case, the meaning would be that the Yajamāna should perform the four yajñas preceded by vāgyajna. Here, in this kind of explanation, the vāgyajna is excluded. According to our author, such compounds, as a rule, must be interpreted as tadguṇa-samvijñāna bahuvrīhi, as there is no reason why the thing that is mentioned here namely vāgyajna may be excluded from the meaning. Where, however, there exists a ground for excluding this, the compound may be dissolved as atadguṇasamvijñāna bahuvrīhi. In the present case, the Vāgyajña which is mentioned first in the list of 5 great sacrifices, cannot be omitted, following the principle laid down in the nyāya Prathama tyāge kāraṇābhāvāt. This discussion occurs in the Vyavahāra Mayūkha P.134.

(22) *Phalavat sannidhau aphalaṁ tadaṅgam:—* This maxim means that whatever is mentioned in the proximity with an action that has a separate fruit, but has no special fruit of its own, is subsidiary to what is declared to have a reward. While discussing the topic of sandhyāvandana, Nīlakaṇṭha makes a reference to the ardhyadāna, which occurs in the contiguity of the sandhyāvandana. No independent fruit is laid down for the ardhyadāna. Whereas, Sandhyāvandana has an independent fruit in the form of pāpakṣaya etc. The application of the above maxim to the present case, makes it quite clear that the sandhyāvandana is a principal karma and the ardhyadāna which has no independent fruit, is its subsidiary. The above discussion takes place in the Ācāra Mayūkha P.58.

(23) *Viśaye ca prāyadarśanāt:—* This maxim means that in a doubtful case, the correct conclusion is to be drawn by a perception of the general context in which a particular word occurs. While discussing the topic of the bath which a brahmacāri is supposed to

take after the death of his father, our author quotes a verse from the text of Devala. There is a doubt as regards the exact meaning of the word snāna occurring in the text of Devala. Our author, applying the principle of the above maxim, to the present case, states that the word snāna occurring in the general context of mahādāna and svādhyāya, denotes that it is either a kāmya snāna or the samāvartana snāna. And it is not an ordinary daily bath at all. This discussion takes place in the Śudhi Mayūkha P.86.

(24) *Vṛttidvayavirodha Nyāya:*— This maxim means that if a single word in a vidhi is used in the primary sense in certain cases and in the secondary sense in some other cases, then the fault of Vṛttidvayavirodha would incur. We have only two examples of this nyāya from the Vyavahāra Mayūkha. While discussing the topic of adoption, Nīlakaṇṭha points out that the word pratigraha occurring the context of marriage and adoption must be understood only in the secondary sense. Pratigraha is possible only in the case of a brahmin and the Brāhma form of marriage; whereas pratigraha is not laid down in the case of kṣatriyas and Vaiśyas. The brahmin marrying the brahmin woman, will get ownership over his wife. He can accept her legitimately. Here the word pratigraha is understoood in the primary sense. But in the case of a brahmin marrying the kṣatriya woman, he will get secondary ownership over his wife. And the acceptance on his part will be secondary. So in order to avoid this above fault or defect of Vṛttidvayavirodha, it is better to understand the word pratigraha and svatva in the secondary sense. This discussion takes place in the Vyavahāra Mayūkha P.92

While discussing the topic of the line of succession to the property of a deceased person, our author refers to the Yājñavalkya Smṛti II. 135. In this verse, the word bhrātarḥ occurs, Vijñānesvra understands this word as (1) full brother and (2) half-brother. According to Vijñāneśvara, the full brothers will succeed to the property of a deceased person. And in their absence the half brothers would succeed. The above mode of interpretation adopted by Vijñāneśvara, will involve the fault of Vṛttidvayavirodha, according to our author Nīlakaṇṭha. This discussion takes place in the Vyavahāra Mayūkha P.142.

(25) *Sarvaśākhāpratyayamekaṁ karma Nyāya:*— This nyāya simply means that even though there is a difference in the name,

branch, form or the nature of the sacrificial work or activity, yet there should not be understood any actual difference in the actual performance of that sacrificial activity. This position is to be accepted because all the different schools of Vedic knowledge acknowledge one and the same sacrificial action. If there is a conflict in the smṛtis on one and the same subject, then we must resort to option and when there are no chances of conflict in the smrtis, all the rules from all the smṛtis should be held applicable to the subject matter. While discussing the topic of the Upākarma, our author quotes opinion of Mādhava, the author of Nirṇayāmṛta, that with reference to the upākarma, the month alone is prescribed. Even though there is a difference as regards the time during which the said ceremony of Upākarma is to be performed, yet it can be concluded that with reference to all the branches, there should be one and the same sacrificial action, following the principle laid down in the above maxim. When there is a direct conflict in the smṛtis, one should stick to one's own Sūtra (Gṛhya-sūtra) or the branch, because the sacrificial action is one and the same in all the sūtras. This discussion takes place in the Samaya Mayūkha P.109.

(26) *Sādhūneva prayuñjitā*:— This nyāya simply means that the grammatically pure words shouldbe used in the performance of the sacred rites. While discussing the mode of utterance of the names of god Viṣṇu at the time of sipping of the water in the sandhyakārma, our author refers to the view points of other writers on the Dharma-Śāstra. But ultimately Nīlakaṇṭha states that from the proper application of the principle of the above maxim, it is needless to add that 24 names of the god Viṣṇu, must be uttered in the proper case i.e. dative case, and the same must not be uttered in the vocative case. This discussion takes place in the Ācāra Mayūkha P.24.

(27) *Sāmānya vidhiḥ aspaṣṭaḥ saṁhriyeta viśeṣtaḥ*:— This nyāya means that when an injuction in general is indefinite in its application, the scope of the injuction in general is curtailed by the specific injunction. While discussing the topic of the upākarma, Nīlakaṇṭha quotes a verse from Kūrma Purāṇa. This verse lays down that the Upākarama ceremony should be performed by the best of the brahmins either on the full moon day of the month of

śrāvaṇa or on the full moon day of the month Āṣāḍhā or Bhādrapada. While commenting on this stanza of the Kūrma Purāṇa, our author says that the Upākarma on the full moon day of the month of Āṣādhā is with specific reference to the persons belonging to the Baudhayāna branch or school. When it is not clear from the text of Kūrma, in respect of which particular branch or school, this injunction is applicable, its scope can be curtailed by making the rule applicable to the particular branch of the persons belonging to the Baudhayāna branch, owing to the special injunction to this effect in the Baudhayāna Sūtra. This discussion takes place in the Samaya Mayūkha P.109.

(28) *Saṁkhyāyukteṣu samuccayaḥ syāt.*— The exact import of this nyaya is as follows:— When a karma is already prescribed and with reference to this, a particular number is prescribed in another sentence, the combination of the number i.e. saṁkhyā must be understood. While discussing the time for the performance of the Śrāddha, our author quotes a verse from the text of Śaṭhyayaṇi. This means that there should be the combination of 16 tithis of the black fortnight with reference to one Śrāddha, according to the view point of the prima facie. Some scholars on the Dharma-śāstra, however, hold that there should be the sameness of the brahmins, place and dakṣiṇā for this śrāddha ceremony. But our author points out that the maxim "Saṁkhyāyukyṭeṣu samuccayaḥ syāt" is not applicable to the present case, though it is wrongly suggested by the Pūrvapakṣin. The province of the present case is entirely different because the combination of 16 tithis is prescribed with reference to the 16 different śrāddhas and not with reference to one and the same Śrāddha. This discussion takes place in the Śrāddha Mayūkha P.15.

(29) *Sandigdheṣu ca vākyaśeṣāt.*— This nyāya means that the meaning of the ambiguous expression in any line, is to be determined from the remaining part of the sentence. Another nyāya akin to this is "Viśaye ca- prāyadarśanāt." While discussing the topic of Vaiśvadeva karm, our author quotes a verse from the Manu-Smṛti. When there arises a doubt as regards the exact interpretation of the word antarā occurring in the text of Manu, Nīlakaṇṭha says that the word antarā means any other time in between the day and night, because the word sāyaṁprātaḥ,

occurring in the text of Manu, helps us to remove the doubt in this matter. Thus, our author has properly applied the above maxim in deciding the exact meaning of the word antarā. This discussion takes place in the Ācāra Mayūkha P. 111.

12

MĪMĀṀSĀ IN THE BHAGAWANTA BHĀSKARA OF NĪLAKAṆṬHA

In this article, I propose to show how the Mīmāṁs technical terms are used by Nīlakaṇṭha in the course of his discussion in the twelve Mayūkhas. Here I give the correct idea of the Mīmāṁsā technical terms to the readers so as to enable them to appreciate the aspect of the employment of the Mīmāṁsā doctrines to the Dharma-Śāstra texts.

(1) *Aṅgakarma:—* Aṅgakarma is a subsidiary act having no independent fruit. This angakarma is generally laid down in the context of the principal sacrifice having an independent fruit. Whenever, any fruit is laid down for any subsidiary act, then the passage of that type is treated as glorificatory and as such it is not to be literally interpreted. While discussing the topic of ordeals, the main point at issue is that when the balance breaks in the meanwhile, the question arises whether the procedure with all its details is to be repeated or only weighing is to be repeated. There appears to be a difference of opinion among the scholars on this point. The eastern scholars believe that only the weighing is to be repeated. While Madana thinks that the whole procedure is to be repeated. Here the principal act is to find out the truth and not the weighing. Weighing is just an angakarma. And if the appartus

breaks in the middle, then it is absolutely essential to repeat the whole procedure. In conclusion, the repetition of the angakarma will not be enough to find out the truth. In fact, the entire procedure is to be repeated. In utilising this principle in the Vyavahāra Mayūkha p.61, Nīlakaṇṭha has passed over this point in silence. He simply gives expression to the two diametrically opposed views in the discussion.

(2) *Apūrva-Vidhi*:— This is an injunction of something quite new and not established by any other mode of evidence. So it is an altogether new injunction. We do not have any concrete example of the Apūrva-Vidhi from any of the Mayūkhas of Nīlakaṇṭha. While discussing the statement of Vasiṣṭha in respect of giving or adopting a son (in adoption) by a woman, the question arises whether the text of Vasiṣṭha requires a woman to take the permission from her husband, father-in-law or a son for doing any act in order that husband's soul may be benefitted in the yonder world, is a case of Apūrva-Vidhi or Anuvāda. Here only the incidental reference is made to the term Apūrva-Vidhi. Nīlakaṇṭha concludes that this is not a case of Apūrva-Vidhi but a case of Anuvāda of a case where such a permission is required to be taken. This discussion occurs in the Vyavahāra-Mayūkha. p.113.

(3) *Arthavāda*:— Arthavāda is a sentence devoted either to the approbation or reprobation of the act enjoined. Thus the Arthavāda sentence is of two types. It either praises the act enjoined or censures it downright. Here I cite both the types of examples. While discussing the question as to when the partition of the father's wealth and property should take place, Nīlakaṇṭha quotes a verse from the Devala-Smṛti. This verse means that after death of a father, sons should divide the father's wealth and so long as a father is free from any physical or mental defect, sons are not competent to divide the father's property. According to Nīlakaṇṭha, the first line from the Devala Smṛti pertains to a vidhi; while the second line is glorificatory. This is a case of glorificatory Arthavāda, because it serves to point out that ordinarily only after the death of a father, sons should divide a father's property. This discussion takes place in the Vyavahāra-Mayūkha p.90. While discussing the topic of the expiation for cutting the tree, Nīlakaṇṭha quotes a verse from the Viṣṇu Purāṇa I.12.10. In this verse, the sin arising as a

result of cutting off the tree is considered as a case similar to the sin arising as a result of killing a brāhmaṇa. This is a case of condemnatory Arthavāda inasmuch as it condemns the cutting off the branch of a tree. Here Nīlakaṇṭha supports his view point by quoting the view of Śūapāṇi in his favour. This discussion occurs in the Prāyaścitta Mayūkha p. 233.

(4) *Arthakarma:*— Arthakarma is that act which is performed for the purpose of successful completion of a sacrifice. It produces some unseen results in the human agent. Moreover, on account of the Arthakarma, the thing becomes more useful to the Yajamāna or any other other person in near future. We have the case of pratipatti Karma as against the concept of Arthakarma. While discussing the topic of the giving of the staff to the priest Maitrāvaruṇa by a Yajamāna, the question arises whether this giving of the staff is a case of Arthakarma or pratipatti Karma. Nīlakaṇṭha concludes that the giving of the staff is a case of Arthakarma, since the staff is required by the priest Maitrāvaruṇa when he recites the praiṣes and it serves many other purposes as noted by Śābara in his Bhāṣya on Jaimini's Pūrva-Mīmāṁsā Sūtra. It may be noted that Nīlakaṇṭha has not directly used the term Arthakarma for his discussion. It must be stated here that virtually he has followed the concept of Arthakarma for his discussion in the Vyavahāra Mayūkha p. 110.

(5) *Ārāt Upakārakaṁ karma:*- These rites directly help the angas of the principal rite, without being meant to produce any Saṁskāra in a substance. Thus, an action that is enjoined with reference to the principal rite, is a directly contributing action. e.g. The fore-sacrifices serve the purpose of the Darśapūrṇamāsa sacrifice. While discussing the topic of the unanimity for time, place and agent. Nīlkaṇṭha says that if a couple is consigned to fire on the same pyre, then their separate Śrāddha must be performed. And the rice also must be separately cooked. Nīlakaṇṭha here holds that the rites such as feeding the brahmanaṣ, the giving of the piṇḍas etc are Ārāt Upakāraka karmans, because they directly help the successful completion of the Śrāddha ceremony and should be performed,. Only once by the principle of centralisation (Tantratā). This discussion occurs in the Śrāddha Mayūkha p.48.

(6) *Upalakṣaṇa:–* Upalakṣaṇa is really an indication or inclusion of things which are of a similar nature. While discussing the topic of the division of the ancestral property, Nīlakaṇṭha quotes a verse from the Manu-Smṛti IX.213. This verse lays down that if the eldest brother defrauds his yonger brother's property or share, then he becomes a loosing party and he is punished by a king. In this verse, the expression 'jyeṣṭha bhrātā' occurs. This word is illustrative and includes the yonger brothers also, in addition to the other coparancers. This discussion has a place in the Vyavahāra-Mayūkha p.131.

(7) *Upasaṁhāra:–* Upasaṁhāra limits the scope of the general statement to the particular statement. This is possible only if the both the general and particular statements refer to one and the same topic. Moreover, Upasaṁhāra comes into operation only when there is the Sāmānya-Viśeṣa-bhāva between the two texts. While discussing the topic of adoption, Nīlakaṇṭha quotes the two lines. (1) Śūdrāṇām śūdrajātiṣu and (2) Dauhitro bhāgineyaśca śūdrasyā' pi ca dīyat. Here it means that a Śudra person should accept a son in adoption from the Śūdra caste. And the second line means that he should adopt a son of his daughter or the son of his sister. Now the question arises whether this is a case of Upasaṁhāra or not. Nīlakaṇṭha says that the first statement cannot be considered as a general one. And the second line cannot be treated as a particular one. As there is no sāmānya-viśeṣa- bhāva between the two statements, there is no scope for the Upasaṁahāra in the present case. He further gives other grounds for not accepting Upasaṁhāra in the present case. This discussion takes place in the Vyavahāra Mayūkha p.111. We get the examples of Upasaṁhāra in the Vyavahāra Mayūkha p.108 and Śrāddha-Mayūkha p.76.

(8) *Ūha:–* In a mantra, Ūha is the substitution of the word, referring to the material, deity etc. for another. While discussing the topic of the Ārāmotsarga prayoga, Nīlakaṇṭha quotes a mantra 'Sarvabhūtebhyaḥ utsargam etc. The original mantra which was to be recited at the end of .any such prayoga was 'Sarvabhūtebhyaḥ utsargam etc. In this mantra, the word vanam is substituted in the previous mantra in the place of jalam. Original mantra begins with the words 'Smanyam Sarvabhūteṣu etc. Thus, here the word 'sarvabhūtebhyaḥ is substituted in place of the word 'Sarvabhūteṣu

etc. thus, this is a fit case of Ūha. This discussion occurs in the utsarga Mayūkha p.26.

(9) *Kalpanā Gaurava:–* Whenever anything has to be presumed for the establishment of a proposition, we should presume as little as possible. If more than necessary is presumed, then it involves the fault of Kaplanā Gaurava. The expression 'Kalpanā Gaurava' can be translated into English us 'Unnecessary multiplication of presumption.' While discussing the topic of the impurity in the case of brahmaçāri offering the rice balls in the honour of the dead father, our author Nīlakaṇṭha quotes a verse attributed to Prajāpti by Prakāśa. This verse means that a brahmacārī will become impure for every day during that time when he offers the Śrāddha ceremony and particularly the Śrāddha piṇḍas. According to Nīlakaṇṭha, the view point of Divodāsa and others who imagine the appearance and disappearance of the impurity every day, will incur the fault of Kaplanā Gaurava, which can be avoided by interpreting the text of prajāpati so as to be in agreement with the text of Brahma-Pūraṇa which states that impurity will be only on the first day. This discussion occurs in the Śuddhi Mayūkha pp.44-45.

(10) *Kāṇḍānusamaya:–* The mode of the performance of all prescribed acts of ritual in orderly succession for a particular object, before performing the same act in the same order for a second object, is called as Kāṇḍanusamaya.

(11) *Padārthanusamaya:–* The mode of the performance of one act for all the objects in orderly succession before performing another act for all the objects in the same order, is called as padārthanusamaya.

When the ordeal of the balance is over, Yajamāna should worship all the deities, having invoked them with the syllable Om. All the deites invoked must be worshipped in accordance with the details of the ceremonial worship. The items from Āvāhana upto namaskāra should be offered to all the deities. Now the important question arises as to whether all these deities should be worshipped by the mode of Kāṇḍānusamaya or Padārthanusamaya. In this connection, it must be noted that Dharma is the principal deity and there are other subsidiary deities like Indra and others. Our author points out to us that in the case of the principal deity i.e. Dharma,

the mode of Kāṇḍānusamaya is to be followed. All the other subsidiary deities, one will have to worship all these deities one after another by one item to be followed by another item in the case of other deities in the same order. Thus, here it can be said that the present case is a mixed case of Kāṇḍānusamaya and Padārthanusamaya. This discussion is introduced by Nīlakaṇṭha in the Vyavahāra-Mayūkha p.66.

(12) *Krama:–* Krama means a particular kind of order or it takes the form of the state of one thing being the first and the other later or the relation of prior and posterior. While discussing the topic of the persons competent enough to perform the Śrāddha ceremony, Nīlakaṇṭha quotes a verse from the Bhaviṣyat Purāṇa. In this verse, the list of father, elder brother and mother is given as the persons competent to perform the Śrāddha ceremony. Nīlakaṇṭha points out that this texts does not prescribe any serial order as such because of the total absence of the word 'atha' in the stanza. Hence it is not possible to interpret the text of Bhaviṣyat Purāṇa as a case of Krama in the strict Mīmāṁsā parlance. Nīlakaṇṭha makes this discussion in the Śrāddha Mayūkha p.33.

(13) *Kratvartha:–* An act which is laid down for the becefit of a sacrifice or an act which is intended to help the successful completion of the sacrifice, is known as Kratvartha. If at all, all the details of this act are not properly carried out, all act becomes defective.

(14) *Puruṣārtha:–* An act which is laid down for the beneficial interest of a man is known as Puruṣārtha. On account of the non-performance of the act which is laid down for the beneficial interest of a man, a yajamāna incures the sin, but the kratu becomes complete. While discussing the thread ceremony, Nīlakaṇṭha quotes a stanza from the Bhṛgu smṛti which lays down that the sacred thread must always be worn and the tuft of hair must be properly tied up. If a boy who has undergone the thread ceremony, does not wear the sacred thread and does not tie up the crest of his hair, whatever religious deeds he performs, that are as good as not done. Now the question arises whether this wearing of the sacred thread and binding up of the tuft of hair is a case of Puruṣārtha or Kratvartha. Nīlakaṇṭha holds that that wearing of the sacred thread and typing up of the tuft of hair, at all times, is a case of Puruṣārtha.

But these are the cases of Kratvartha, when they are done during the performance of the sacred rites. This discussion is made in the Saṁskāra Mayūkha p.30.

(15) *Tantratā–* The word Tantra or Tantratā means or stands for the group performance. In other words, a single performance of an act for a group in common is known as Tantra or Tantratā.

While discussing the topic of the single performance of religious rites for undivided members such as father, grand-father, grand-son etc. Nīlakaṇṭha quotes a verse from the Nārada-Smṛit XVI.37. The simultaneous performance of a single deed for the benefit of the group is possible only if there is the sameness of the agent, time and place. In the present case, the several members of the joint Hindu family are different. There is not the sameness of the agent, thought there is the sameness of time and place. In fact, Tantratā will have no scope in the present case. Nīlakaṇṭha, however, attached more importance to the Smṛti text of Nārada rather than to the fulfilment of the technicality of Tantratā As Nārada lays down a single performance of Dharma even though the members are different, Tantratā can be made applicable to the present case of the religious duty of the unseparated members. This discussion is introduced in the Vyavahāra Mayūkha p.133.

(16) *Nityānuvāda:–* Nityānuvāda occurs where the Vedic text apparently prohibits something, when there is no possibility of what is prohibited as happening. While discussing the topic of the Ābhyudayika Śrāddha, Nīlakaṇṭha quotes a line from Karma-Pradīpa. This text prohibits the performance of another Śrāddha on the Aṣṭamī day, when the Śrāddha known as Aṣṭaka is being performed. According to Nīlakaṇṭha, this is an example of Nityānuvāda because there is no authority to show that another Śrāddha may be performed on the Aṣṭami day. So there is a reproduction of the thing which is absolutely not available from any other pramāṇa. Nīlakaṇṭha makes this discussion in the Śrāddha-Mayūkha p.148.

(17) *Niyama Vidhi:–* Niyama Vidhi is that injuction which restrict us to a particular way of accomplishing a thing, when we are likely to resort to other ways, particularly in a case the thing can be accomplished in more than one way.

While discussing the topic of the food to be eaten by the brāhmaṇas, Nīlakaṇṭha quotes a verse from the Manu-Smṛti which lays down that the brāhmaṇa should eat food-twice-once in the morning and again in the evening. Now the question is whether Manu's text lays down Niyama vidhi or parisaṁkhyā Vidhi. Nīlakaṇṭha points out that the text of the Manu Smṛti lays down the Niyama Vidhi and restricts the brahmanas to the two times of eating the food and they should avoid eating food in the meantime. This discussion is introduced by Nīlkaṇṭha in the Ācāra Mayūkha p.119.

(18) *Niṣedha:–* Niṣedha means the prohibition of the injuction laid down by the Śāstra itself. While discussing the topic of the purification in the case of women and Śūdras, Nīlakaṇṭha quotes, in the first place, a text of Parāśara in which Pancagavya is prescribed in the case of women and Śudra for purification in addition to the prājāpatya expiation. He further quotes the text of Atri, which prohibits the use of the pancagavya for a Śūdha. There is however, no contradiction between the two texts of Parāśara and Atri. The text of Parāśara refers to the drinking of pancagavya by a Śūdra which is available by the Śāstra Pramāṇa. While the text of Atri refers to the prohibition of the pancagavya by a Śūdra which is available on account of the natural inclination (Rāgataḥ prāpta). Nīlakaṇṭha discusses this matter in the Prāyaścitta Mayūkha p.27

13

MĪMĀṀSĀ IN THE BHAGAWANTA BHĀSKARA OF NĪLAKAṆṬHA

In this article, I propose to discuss the utility and application of the Mīmāṁsā technical terms to the domain of Dharma-Śāstra as suggested by Nīlakaṇṭha. Here it may be added that as I have given the abridged summary of only some portion of the second art of my thesis to the Marathawada University Journal, it will be proper on my part to include only those terms that are not dealt with in that article and hence I intend to start with the Mīmāṁsā technical term Niyama Vidhi onwards in this article.

(1) *Niyama Vidhi*— Niyama Vidhi is that injuction which restricts us to a particular way of accomplishing a thing, when we are likely to resort to some other ways, in a case where the thing can be accomplished in more than one way. While discussing the topic as to when a compaign should be undertaken by the kings, Nīlakaṇṭha quotes verses from the Manu-Smṛti to show that the compaign should be undertaken in the month of Margaśīrṣa, phālguna or caitra, when the king is definite of the success and particularly when the enemy is in a difficult condition. Thus, it appears that the certainity of success and the difficulty of an enemy, are considered as the cases of Niyama, by our author. But as opposed to this, some scholars, however, hold that the difficulty

of an enemy need not be regarded as an example of Niyama. This discussion taken place in the Nītī Mayūkha P.63. While discussing the topic of the-piṇḍadāna, Nīlakaṇṭha quotes a line from the Vāyu Purāṇa. This line means that a wise man should offer the piṇḍas mixed with honey, ghee and sesamum. While commenting on this line, Nīlakaṇṭha says that even though Niyama is to be understood with reference to honey, oil, ghee, yet this Niyama is not to be understood with the offering of honey and/ghee (that was possible only) in the last three yugas. This discussion takes place in the Śrāddha Mayūkha P.97.

(2) *Niṣedha:*– Niṣedha means the prohibition of the injunction laid down by the Śāstra. While discussing the topic of pātityahetavaḥ i.e. the causes of outcaste, Nīlakaṇṭha quotes a verse from the Manu-Smṛti. This verse means that if the wife of a person drinks wine, then his half body becomes patita. And when his half body has thus become patita no expiation is aid down in his case. Now the question arises whether the prohibition of drinking wine is laid down with reference to the brahmin wife of a brahmin husband or a Śūdra wife of a brahmin-husband. Here Nīlakaṇṭha quotes the two divergent opinions of Vijñāneśvara and Mādhava. Vijñāneśvra holds that the text is applicable to the case of a Śūdra wife of a brahmin husband; while according to Mādhava, the Niṣedha in Manu's text refers to the brahmin wife of a brahmin husband. Nīlakaṇṭha, however, sides with Vijñāneśvara and rightly points out that if the interpretation suggested by Mādhava, is accepted, then there would arise the contingency of the statement becoming redundant. And there would be one more difficulty in dissolving the expression 'Patitārddhaśarīrasya' as the Bahuvrīhī compound. Thus, this is a case of Niṣedha in the case of drinking wine by a Śūdra wife of a brahmin husband. This discussion takes place in the Prāyaścitta Mayūkha P.63.

(3) *Parisaṁkhyā:*– Parisaṁkhyā means exclusion. When both the alterntives are simultaneously available, the injunction that excludes one of the two alternatives, is the injunction of exclusion. While discussing the mode of worship to be followed by women, Nīlakaṇṭha quotes a line from the Skandapurāṇa. This line lays down that a woman should worship the Lord Śiva with the word namaḥ at the end of the word Śiva put in the dative case. Thus

they should recite or utter 'Śivāyanamaḥ'. Now the question arises whether the word eva occuring in the text of Skanda, conveys, Parisaṁkhyā or Niyama. Nīlakaṇṭha says that it coneys Parisaṁkhyā and thereby the worship with the praṇavayukta mantra or oṁkārayukta mantra is excluded in the case of women. Our author further supports his view-point by quoting a line from the Nṛsiṁhatāpanīya. This, however, is a case of Śrautī Parisaṁkhyā. This discussion takes place in the Ācāra Mayūkha P.93.

(4) *Paryudāsa:–* Paryudāsa means an exclusion which is meant for restricting a thing to everything else but the particuar case. Paryudāsa is to be resorted to in interpreting anisedha vākya, when the same thing is introduced in the context of vratas (broady speaking the things to be done) and when there is the possibility of prohibition resulting into option. While discussing the topic of expiation, Nīlakaṇṭha quotes a verse from the Yājñāvalkya-Smṛti III.219. This verse means that the downfall of the man takes place on account of the non-performance of the deeds laid down by the Śāstra and doing the censured deeds as a resut of the loss of control over the sense organs. In this verse, the expression 'Indriyāṇām anigrahāt' occurs. It serves to point out the exclusion of the acts laid down by the śāstra, but done unknowingy inspite of the control over the sense-organs. In such a case, the downfall of the man does not take place. This is, how, the paryudāsa is understood in the present case. This discussion takes place in the Prāyaaścitta Mayūkha P.2.

(5) *Pāṭhakrama:–* The order in which the sentences conveying different matter (relating to sacrifice) are given, is by text seriatim. (Pāṭhakrama). The Pāṭhakrama is of two types: (1) Mantrapāṭha and (2) Brāhamaṇa-Pāṭha. While discussing the topic of five great sacrifices, Nīlakaṇṭha, at the outset, quotes a text of Āśvalāyana. It enumerates the Devayajña before the Brahma-Yajña. This is a case of Pāṭhakrama. But, afterwards Nīlakaṇṭha points out a verse from the text of Āśvalāyana which states that devayajña must be performed after Brahma-Yajña. Thus, the order of Pāṭhakarma which is laid down by the text of Āśvalāyana is annuled by the express text of Āśvalayana (Śruti pramāṇa). This discussion takes place in the Ācāra-Mayūkha P.71. Another illustration of Viśiṣta-Pāṭhakrama we get in the Vyavahāra Mayūkha P.144.

(6) *Punarvacana:–* Punarvacana is a restatement, the purpose of which is to give prominence to that restated thing in the particular context. This is how Punarvacana can be distinguished from Anuvada in which there is the reproduction of a thing for the purpose of showing its association with another thing. While discussing the topic when the deputy cannot be appointed or given in conducting any suit referred to the court, Nīlakaṇṭha quotes verses from the Kātyāyana Smṛti. In one verse, the word steyam occurs twice. The purpose of this Punarvacana of the word 'steyam' is to show absolute prohibition of an agent in all matters pertaining to steyam i.e. theft. This discussion occurs in the Vyavhāra Mayūkha P.12.

(7) *Prakaraṇa:–* The word Prakaraṇa is transated into English as context. Context means the mutual expectancy or mutual need for complement. When the two rites satisfy the needs of each other, then that constitutes the context. The Kathṁabhāvākaṁkṣā and the Upakāryākaṁkṣā of both rites must be satisfied by both the rites, then only that constitutes the Prakaraṇa pramāṇa. The popular instance of this term can be pointed out as the example of Andhapaṅgu-Nyāya or Naṣṭāśvadagdharatha Nyāya. While discussing the topic of sāgneḥavaiśvadevakālaḥ, Nīlakaṇṭha quotes a line. This line means that after the eating of the Śrāddha food is over, the Yajamāna should eat the remnant of the Śrāddha food, along with his guest. Now the question arises whether this eating of food i.e. bhojanakriyā is a separate Vidhi or it is an aṅgakarma of the Śrāddha. This is so, because for the bhojanakriyā has upakāryakaṁkṣā. And as regards the Śrāddha Karma, there is Kathaṁbhāvākaṁṣa. Here bhojanakriyā satisfies the Kathaṁavākaṁṣa of the Śrāddha Karma and the Śrāddha Karma in its turn satisfies of Upakāryākaṁkṣā of the bhojanakriyā. So it can be safely said that bhojanakriyā is an aṅgakarms of the Śrāddha Karma, on account of the operation of the prakaraṇa pramāṇa which requires the mututal expectancy. And this condition is fully satisfied by the present case or example. The above discussion occurs in the Śrāddha Mayūkha P.117.

(8) *Prakṛti:–* Where there is the mention of all the subsidiaries, that is called the model sacrifice. i.e. a prakṛtiyāga. The darśapūrṇamāsyāga can be cited as a good example of the prakṛti

yāga. The angas of the prakṛti yāga can be obtained by the vikṛti yāga i.e. the modified sacrifice by means of atideśa i.e., the rule of transfer or extension.

(9) *Vikṛti*:- Where all the subsidiary acts are not laid down, that is a vikṛti yāga. In the Vikṛti yāga, the new angas which are not present in the prakṛti yāga, alone are mentioned.

While discussing the topic of pancalangaladānaṁ, Nīlakaṇṭha lays down the entire procedure to be followed by the yajamāna. Having given the particular daksiṇā to the Ṛtvig in the pancalangla dāna, Nīlakaṇṭha says that yajamāna should perform puṇyāhavācana, worship i.e. model worship given on PP.1-34 i.e. just as in the model worship, the yajamāna has to do puṇyāhavācana, devatapūjana, devātāvisarjana and the feeding of the brahmins with food, in the similar manner in the vikṛti worship, the same procedure is to be followed by him. The above discussion takes place in the Dāna Mayūkha P.147.

(10) *Pratipatti Karma*:- Pratipatti Karma means the ceremonial disposition of some material employed in a sacred rite. This is further divided into three categories. (1) Pradhanapūrvakāla, (2) Pradhānasamakāla and (3) Pradhanottarakāla. While discussing the topic of the ceremonial disposition of the vikira things, Nīlakaṇṭha quotes the view-point of Gautama who holds that the disposition of the vikira things must be done in same manner in which the remnant of the Śrāddha food is disposed of. Our author, further quotes the view point of- Taulvali who holds that the ceremonial disposition of the vikira things, if at all they are thrown in the vicinity of Piṇḍas, must be disposed of in the same way in which the Piṇḍas are disposed of. This discussion occurs in the Śrāddha Mayūkha P.92.

(11) *Pratiprasva*:- Pratiprasava is a technical term for the exeption to Nisedha. Or it is also defined as an exception to the exception. While discussing the topic of the things which must not be given by the yajamāna, our author quotes a verse from the Smṛti of Vyasā to show that the Yajamāna should not give excessive medicine, salt and food to others; but only the limited portion should be given by him. This is a negative rule. An exception to this negativre rule is given by our author by quoting another verse from Samāvarta which shows that even if the medicine is given,

yet the yajamāna does not incur any fruit provided he is an expert, even if the cow meets with death. So this exception to the negative rule of the prohibition of giving excessive medicine, can be treated as an exampe of the pratiprasava (counter-injunction). This discussion takes place in the Prāyaścitta Mayūkha P.85.

(12) *Prasaṅga:–* Performance of a thing incidentally during the performance of another that is undertaken with a different object, is known as a performance of Prasanga. While discussing the topic of Tantrata and Prasaṅga, Nīlakaṇṭha quotes a passage from the Gautama-Dharma Sūtra. This passage states that on account of approaching the wife of another person, a man will be purified after undergoing the expiation lasting for 2 years. It is further stated that for approaching the wife of a Śrotriya person, expiation of 3 years is laid down. Now the question arises whether a person, who has committed both these offences, should perform both these expiations separately or the single performance of them would be enough to serve the purpose. Our author says that the single performance of the expiation for three years, laid down with special reference to approaching the wife of a Śrotriya person, incidentally serves the purpose of the observance of expiation lasting for two years. Thus, this is a fit case of Prasaṅga. The above discussion takes place in the Prāyaścitta Mayūkha P.13.

(13) *Prayoga Vidhi:–* Prayoga-Vidhi is an injunction of performance, which prescribes the non-delay in the performance of the rite, with its subsidiaries. While discussing the topic of Āṣṭamī-sāmānya nirṇaya, the question arises as regards the observance of the upavāsa and vrata in connection with Āṣṭamī. Whether these two are to be treated as separate vidhis or these two are to be considered as parts of some rite. In this connection, our author, in the first place, cites the opinion of some scholars on the Dharma-Śāstra who particuarly hold that upavāsa and vrata are two parts of some rite. But our author, however, does not subscribe to this view and rightly points out that these are to be considered as two separate vidhis or is of two separate rites. In order to arrive at this decision Nīlakaṇṭha points out that these two separate rites have been awarded a special and separate fruits. Moreover, the itikartavyatā of these two rites is also separately associated with them. In order to stress this point, Nīlakaṇṭha points out that just

as in the case of udbhid and citrā sacrifice, separate fruits are pointed out, in the similar manner, in the case of upavāsa and vrata in connection with Āṣṭamī, separate fruits are specifically pointed out in the smṛtis. Hence it can be concluded that our author is right in holding that both upavāsa and vrata are to be treated as two separate Vidhis. This discussion takes place in the Samaya Mayūkha. P.47.

(14) *Bādha*:– Bādha arises when two texts contradict each other. The Bādha is either complete or partial. If it is complete, Bādha results into one pramāṇa setting aside the other completely. If the Bādha is partial, the scope is divided between the two texts. Here in case of bādha, one text does not stand wholly opposed to the other text. When the Bādha is apparent, viṣaya-vyavasthā comes into operation. In Bādha, particularly, the strong text sets aside the scope of the weaker text. While discussing the topic of the seniority of the twin brothers, Nīlakaṇṭha quotes verses from the Manu-Smṛti to show that the seniority is estabished in him, whose face is first seen by the parents and the kinsmen. Nīlakaṇṭha further quotes the view-point of the medical work like Piṇḍasiddhi that between the twins, the son who is born last, is to be regarded as senior. Nīlakaṇṭha thinks that the view-point of the medical work like Pi ṇḍasiddhi is set aside by Manu's texts, as far as the things, to be accomplished according to Dharma-Śāstra, are concerned. Moreover, the view point of piṇḍasiddhi is not, however, supported by any vedic or Smārta text. Thus, this is a fit case of Bādha of the text of Piṇḍasiddhi by the text of Manu-Smṛti. This discussion takes placce in the Vyavahāra Mayūkha P.97.

(15) *Bhāvya*:– Bhāvya is an unseen fruit which is to be brought into existence by doing some acts or karman. While discussing the topic of 'Maitrāvaruṇāya daṇḍam prayacchati' Nīlakaṇṭha says that he i.e. maitrāvaurṇa priest is principal and bhāvya and not the word daṇḍam, though it is put in the accusative case. The giving of the staff to the priest maitrāvaruṇa cannot bring him into existence. By this giving off the staff to the priest maitrāvaruṇa, the priest maitrāvaruṇa becomes bhāvya, in as much as it is useful in the utterence of the praises in the sequal. This discussion occurs in the Vyavahāra Mayūkha P.111.

(16) *Vākyabheda:-* Vākyabheda literally means the split of sentence. In a single sentence, however, long or containing many matters, if there is a single Vidhi, then there is no fault of Vākyabheda. But if in a single sentence, several vidhis are laid down, then this gives rise to the fault of Vākyabheda. While discussing the topic of the reunion of the separate members of the family, Nīlakaṇṭha quotes a verse from Bṛhaspati Smṛti. According to Vijñāneśvara, this verse lays down two Vidhis. (1) Reunion takes place when separated coparceners again begin to stay together and (2) That reunion can take place only between the three cases of persons specified. This mode of interpretation, suggested by Vijñāneśvara, involves the serious fault of Vākyabheda. Our author, however, does not agree with Vijñāneśvara and tries to remove this fault by saying that Bṛhaspati's text lays down only one Vidhi i.e., Reunion takes place only among those members who were parties to the original partition. And the words 'Pitṛ, bhrātṛ and pitṛvya are only illustrative of the relations who were parties to the original partition. In conclusion, our author holds that this is not a case of Vākyabheda. This discussion occurs in the Vyavahāra Mayūkha P.146.

(17) *Vidhi:-* That portion of the Veda which makes known or enjoins a matter, not known by any other Pramāṇa, is called an injunction e.g. Agnihotraṁ Juhuyāt/svargakāmaḥ. While discussing the topic of dantadhāvanaṁ, Nīlakaṇṭha quotes a passage from the Chhandogyapariśiṣṭa. This passage means that a man should take bath, after cleansing the teeth. While commenting on this passage, our author says that this passage lays down the kālavidhi. The present text specificially lays down that the snānakarman must be done immediatey after dantadhāvanaṁ and not at any other time. This discussion occurs in the Ācāra Mayūkha P.25.

(18) *Viśvajit Sacrifice:-* In the Viśvajit Sacrifice, the sacrificer has to donate all that he owns at the time of sacrifice. The sacrificer, however, cannot donate his relations and the wife and the son. While discussing the topic whether Garbhadāsa can be given away in the Viśvajit sacrifice or not, our author refers to the opinion of Khaṇḍadeva who holds that Garbhadāsa (i.e. a person born of a dāsī kept by a man) can be given away in the Viśvajit Sacrifice, Nīlakaṇṭha however, does not agree with Khaṇḍadeva, and holds

that as a man has not got ownership over that dāsī kept by him, consequently it follows that he has not got any ownership over the children born of that dāsī. For arriving at this decision, Nīlakaṇṭha relies on Jaimini's Pūrva-Mīmāṁsā Sūtra VI.7.6. This discussion takes place in the Vyavahāra Mayūkha P.93. While discussing the topic whether a man can make a valid gift of his own wife and children, Nīlakaṇṭha cites the opinion of the objector who holds that as a man has got ownership over his wife, naturally he can get ownership over his wife and the children born of his wife. So he can make a valid gift fo them. For this, the objector cites the example of the calves of the cow over which the owner has got the full ownership. Nīlakaṇṭha, however, holds that as a man has not got full ownership over his wife and chidren, he cannot make a valid gift of them. Here also he relies on the Pūrva-Mīmāṁsā Sūtra VI.7.1-6. He further points out that the two instances of the husband's ownership over wife and children born on his wife on the one hand and the ownership of the owner over the cow and calves of the cow are not on par with each other. So, according to Nīlakaṇṭha, a man cannot make a valid gift of his wife and children. This discussion occurs in the Vyavahāra Mayūkha P.92.

(19) *Samuccaya:–* Combination is possible when there is a syntactical connection in one action of all or many actions which are mutually non-expectant. Combination is generally conveyed by the words ca, iti, tathā, vā and api. While discussing the topic of the expiation for a man who has earned money by censured deeds, Nīlakaṇṭha quotes a verse from the Manu-Smṛti XI.193. This verse lays down that a man should abandon such wealth obtained or earned by the censured deeds and should either perform japa or tapa. Now the question arises whether both the japa and tapa are necessary for removing the sin or whether the abandonment of wealth is necessary along with japa or tapa or whether there is an option between japa and tapa? Our author, however, holds that there is an option for the man in between the japa and tapa. But this is also a case of combination inasmuch as japa must be accompanied by the abandonment of wealth. (Dhanotsarga). Thus, this can be treated as a mixed case of combination and option. This discussion occurs in the Prāyaścitt Mayūkha P.227.

(20) *Sāhitya:–* Sāhitya means the close proximity or connectedness or togetherness. In the performance of the subsidiary rites, the Sāhitya, must be maintained. This is to be secured by performing these rites in an uninterrupted manner. Sāhitya becomes more useful in the mode of Padārthānusamaya. No sāhitya can be maintained if the deeds are performed with delay.

While discussing the topic of the temporary or casual non-study of the Veda, Nīhakaṇṭha quotes a verse from the Manu-Smṛti. This verse states that when there is lightning, thundering of the clouds, raining and the possibility of ulkas i.e., a fiery phenomenon in the sky, there should be considered the casual non-study of Vedas. While comenting on this verse, Nīlakaṇṭha quotes the opinion of Medhātithi who holds that there is a connectedness or proximity (Sāhitya) of all the three namely lightning, thundering of the clouds and raining that is intended to be conveyed. This is so on account of their mention in the Dvandva compound. So in the absence of the connectedness between these three, there should not be any casual non-study of the Vedas. This discussion takes place in the Saṁskāra Mayūkha P.57.

(21) *Sannipatyopakārakaṁ Karma:–* The Saṁskāras that bring about some embellishment or fitness in a material or the deity which are themselves subservient to some rite, are known as Sannipatyopakāraka Karmas. They are indirectly helping rites. While discussing the topic of tilatarpaṇaṁ in the Śrāddha Mayūkha Nīlakaṇṭha says that tilatarpaṇaṁ produces some Saṁskāras on the deity of the Śrāddha. It does not produce any apūrva in the case of the performer. So, the Tilatarpaṇa is an indirectly helping rite to the Śrāddha ceremony, through the devatā. This discussion occurs in the Śrāddha Mayūkha P.115.

14

MĪMĀṀSĀ PASSAGES IN THE MAYŪKHAS OF NĪLAKAṆṬHA

In this article, I propose to give the necessary information on the Mīmāṁsā technical terms used by Nīlakaṇṭha in the course of his discussion in all his 12 *Mayūkhas* and the application of the same to the particular passages under discussion. Here I have given reference to the exact passage from the particular *Mayūkha*, literal English translation of the same and the explanation of the same passage.

1. AṄGAKARMA

A sacrifice consists of the performance of several subsidiary rites. The one for which a fruit is laid down is called the principal rite. While the subsidiary acts or rites are stated in the proximity of the principal rite, they have no independent fruit of their own. But whenever any fruit is laid down for the subsidiary rite, then it becomes glorificatory. And such passages are not to be literally interpreted. The subsidiary rites serve the purpose of the principal rite.

61 VYAHĀRA[1] MAYŪKHA

Translation: The older writers (or eastern writers) say that only the weighing is to be repeated and not the whole procedure. But Madana and others says that the whole procedure is to be repeated (at the time of second weighing), because the defect (in the act of

purification by ordeal) is not removed in this way (by mere repetition of the weighing).

Explanation: When the pens or the beams of the balance or hooks or the ropes break, the king should declare the guilt of the man weighed.

Here the main point at issue is that when the balance breaks in the meanwhile, whether the whole of the procedure is to be repeated or only weighing is to be repeated.

There seems to be a difference of opinion among the scholars. The easterners believe that if the balance breaks in the meanwhile, then only weighing is to be repeated. But Nīlakaṇṭha does not agree on this point with the easterners. According to him in the present case, the *pradhāna kārya* is to find out the truth and not weighing. So by adding, the weighing the balance the defect cannot be cured or removed. Here weighing the balance is an *aṅgakarma.*

Nīlakaṇṭha further quotes the view point of Madana and others who hold that the whole of the procedure is to be repeated, while making the ordeal, if at all the balance breaks in the meanwhile. So the apparatus of *tulā* is nothing but the means to find out the truth.

It is important to note here that our author passes over this point in silence. Possibly he agrees with the last view quoted.

22 ŚĀNTI MAYŪKHA

Translation: Here the worship of the planets is principal and also its *homa* like *ayutahoma* (is also principal). On account of the injunction "A person desirous of wealth and tranquility of mind should perform *grahayajña*" its *homa* and worship are connected with it.

Explanation: While discussing the topic of *ayutahoma,* the question arises whether this is an *angakarma* or a *pradhānakarma.*

Nīlakaṇṭha says that both the *graha-yajña* and *ayutahoma* are principal. It is to be remembered here that *ayutahoma* itself is one of the three *graha-yajñas* and it is not a subordinate *aṅga* of the *graha-yajña* or *vice-versa.*

A principal act like *pūjā* and *homa* must have an independent fruit. Just as in the sentence '*svargakāmaḥ agnihotraṁ juhuyāt*' the heaven is laid down as a fruit for the Agnihotra sacrifice, here also

it is said '*Śrīkāmaḥ Śāntikāmo vā grahayajñaṁ samācaret*. This means that wealth and tranquillity of mind are pointed out as the fruits of *graha yajña* and its worship. So it goes without saying that *ayutahoma* is a *pradhānakarma* and not an *aṅgakarma* of *graha-yajña*.

Nīlakaṇṭha finally concludes that as the name of the *graha-yajña* is mentioned along with the other *graha-yajña* and *liṅgasamavāya*, it is a *pradhānakarma* and not and angakarma on account of its being subsidiary to it (*grahayajñam samanadhikaranyena lingasamavayena*).

Thus, it can be concluded that *ayutahomas* cannot be understood as the *aṅgakarma*, but only as the *pradhānakarma*.

2. ATIDEŚA

Atideśa means an extension, or the rule of transfer. That *yāga* is the *prakṛti yāga* in which all the subsidiary rites are laid down. That is known as the *vikṛti yāga*, in which all the subsidiary rites are not mentioned but only those *aṅgas* which are absent in the *prakṛti yāga*. The extension of the *aṅgas* of the *prakṛti yāga* to the *vikṛti yāga* is technically known *Atideśa*. Refuting the view points of Śūlapāṇi and Bhavadeva, our author introduces the three divisions of the technical term *Atideśa* such as *sāmya atideśa*, *tadrupya Atideśa* and the *vācanika Atideśa*. Nīlakaṇṭha concludes that in the case of *sāmya Atideśa*, the expiation should be half of the original; while in the case of *tādrūpya* and *vācanika Atideśa*, the expiation should be three-fourth of the original expiation.

82 PRĀYAŚCITTA MAYŪKHA[3]

Translation: Thus special expiation is laid down in the case of a special cow. Pracetas, hence, too says that one who kills the pregnant cow, pregnant woman, an infant child and an old man, becomes the killer of *bhrūṇa*, i.e., a brahmin. And so (Pracetas) has identified the killer of a brahmin with the person killing the pregnant woman etc.

Explanation: While discussing the topic of the expiation for the killer of a cow, Nīlakaṇṭha quotes the verse[4] from the *Bṛhaspati-smṛti* III.6 which runs thus:

This verse means that he who kills the *kapilā* cow, which is pregnant, giving abundant milk and useful for the sacrificial purpose, by means of a sword, should perform double the expiation. The special expiation is laid down in the case of a man who kills the special kind of cow.

Our author further quotes the view point of Pracetas. He holds that one who kills the pregnant woman, a pregnant cow, an infant child and an old man, becomes the killer of *bhrūna*, i.e., a brahmin. And so he should perform that expiation which is laid down for the killer of a brahmin.

In other words, Pracetas has identified a brahmin killer with the killer of a pregnant woman, pregnant cow, an infant and an old man.

This, however, is a case of *tādrūpya atideśa*. So in the present case, the expiation is to be understood as equal to three-fourth of the expiation prescribed for the killer of a brahmin. The expiation for a brahmin killer is of twelve years. So in the present case, duration of the expiation is nine years.

110 PRĀYAŚCITTA MAYŪKHA

Translation: Cyavana has made the *tādrūpya* extension of the sin arising as a result of killing a brahmin to a śūdra who drinks the milk of *kapilā* cow by declaring himself to be a brāhmaṇa.

Explanation: While discussing the topic of the expiation for a śūdra who drinks the milk of the *kapilā* cow, Nīlakaṇṭha quotes a verse[6] from the *Bhaviṣyat-purāṇa* I.17.51.

This verse simply means that if any śūdra drinks the milk of the *kapilā* cow, then he will be cooked in the hell. A brahmin who drinks the remnant of the milk after being utilized for the sacrifice, will be a brahmin in the true sense of the term; Otherwise he will be as good as a beast. While commenting on this verse, our author mentions an opinion of Cyavana without quoting the specific text of Cyavana, who declares such a śūdra as brāhmahā, thus identifying the two. Here says our author that there is *tādrūpya atideśa* and so the expiation is three-fourth of the original expiation i.e., it amounts to a period of nine years.

In the case of the other two castes, namely, kṣatriyas and vaiśyas, *Cāndrāyaṇa* expiation alone is prescribed, because nothing is prescribed for them in particular.

So the vow to be observed by a śūdra who drinks the milk of *kapilā* cow, lasts for a period of nine years, just as the period of twelve years expiation is laid down in the case of the man who has killed a brahmin.

Cyavana has merely described such a śūdra as Brahmahā. This identification amounts to the *tādrūpya atideśa*

165 PRĀYAŚCITTA MAYŪKHA[7]

Translation: This express extension of the expiation is less by one quarter according to some scholars. (But) the full extension of the expiation is proper.

Explanation: While discussing the topic of the violation of the chastity of woman, Nīlakaṇṭha quotes a part of the verse from the *Manu-smrti* XI.176 as '*yatpuṁsaḥ paradāreṣu tat cainam carayet vratam*'. Whatever penance a man is required to perform on account of approaching the woman of other castes, the same penance may be performed by women if they lead an immoral life.

Now the question arises whether the full extension of the expiation which a man is required to perform on account of leading an immoral life, is to be made applicable or extended to the case of a woman who also leads an immoral life.

Nīlakaṇṭha quotes here the opinion of some writers on the Dharma-śāstra who hold that even though there is an extension of the expiation of a man in the case of a woman, yet this *vācanika* (i.e., express) extension should be less by one quarter of the expiation which a man is required to observe. But according to Nīlakaṇṭha, this is not a case of *atideśa*, because the text of Bṛhaspati prescribes the entire *vrata* or *vow*. Therefore in view of this actual prescription, what is inferred from *atideśa* must be set aside. This position is to be accepted, because Manu's text comes in contrast with the text of Bṛhaspati.

From the above discussion it is quite clear that no *atideśa* is possible in the present case of a woman's leading an immoral life from the expiation which is prescribed in the case of a man who had led an immoral life. This, however, is a case of

vācanika-atideśa according to some scholars on the Dharma-śāstra; but our author does not subscribe to this view.

165 PRĀYAŚCITTA MAYŪKHA[9]

Translation: In the case of persons who are *cāṇḍālas*, the great expiation is laid down in the extension of gurutalpa, in the event of their approaching women of other castes.

Explanation: While discussing the topic of the expiation to be performed by a brahmin who approaches the *cāṇḍāla* women, our author has made an extension of *gurutalpa* in their case.

On page No.151 of the *Prāyaścitta Mayūkha*, our author has quoted a verse from the Madhyama Aṅgiras, to show the types of persons who can be considered as *antyavasāyinaḥ*.[10]

And the *cāṇḍāla* is the son who is born as a result of the *pratiloma* marriage of a brahmin wife and a śūdra husband.

Our author concludes that there is an extension of the *gurutalpa* expiation in the case of the brahmins who approach the women of the *cāṇḍālas*. In order to arrive at this decision, our author, however, has quoted a verse from *Yājñavalkyasmṛti* III.231.

For the gurutalpa, however, different expiations are laid down on page No.149 of the *Prāyaścitta Mayūkha* by Madhyamāṅgirasa, Yājñavalkya and Manu.

From the above discussion, it appears that in the case of the expiation to be performed for doing immoral deeds by the brahmins approaching the women of *antyavasāyī* and *cāṇḍālas*, our author has made an extension of the expiation of *gurutalpa* on the basis of the text of Yājñavalkya III.231. This, however, is a case of *Vācanika atideśa*, in view of the text of Yājñavalkya III.231.

176 PRĀYAŚCITTA MAYŪKHA[11]

Translation: If a brahmacārin experiences dream sensation during the day or if he forcibly makes his semen fall, then he should merely perform the *nairta* sacrifice. because Vasiṣṭha prescribes that the same expiation may be performed by a brahmacārin (if forcibly) he makes his semen fall either by day or by night.

Explanation: Our author points out to us by quoting the opinion of Vasiṣṭha who holds that the same *nairta* sacrifice must be

performed by a brahmacārin brahmin in case he makes his semen fall either day or by night.

At XI. 118. 123 of Manu's text there is an extension of the *nairta* sacrifice, prescribed for *avakīrṇī* in the case of a person who forcibly makes his semen fall either by day or by night, or experiences the dream sensation during the day. This, however, is a case of *vācanika atideśa* on account of the express mention or opinion of Vasiṣṭha to the same effect. In conclusion, this is a case of *vācanika atideśa*.

176 PRĀYAŚCITTA[12] MAYŪKHA

Translation: Here the extension of the vow of *avakīrṇī* for a brahmacārin is made to the persons who are in the third and fourth *āśramās*, and who approach the women of other castes and this must be understood only when another's wife is actually enjoyed by him, i.e., *vānaprastha*, because the expiation is very heavy.

Explanation: While discussing the topic of the expiation for the *sannyāsins* and vānaprastha persons who allow their semen to fall, Nīlakaṇṭha quotes a verse from the *Śāṇdilyasmṛti*. The verse[13] runs thus:

This verse means that if the *vānaprastha* persons and sannyāsins forcibly and knowingly make their semen fall, then they should observe a vow of the *avakīrṇī* full of three *parākas*.

While commenting on this verse, our author thinks that this vow of *avakīrṇī* is to be understood in the case of the *vānaprastha* and *yati* in whose case there is an extension of the *brahmacārya* from the brahmacārins, only when they approach the wives of other persons, because the vow of *avakīrṇī* is, after all, a great vow and may be prescribed only when the sin is equally great.

Here the vow of *avakīrṇī* full of three *parākas* which is originally enjoined for a brahmacārin approaching the women of other castes, is extended to the *vānaprastha* amd *sannyāsins* who knowingly and forcibly make their semen fall down by approaching the women of other castes.

This, however, is a case of *vācanika atideśa* on account of the express text of Śāṇdilya.

188 PRĀYAŚCITTA MAYŪKHA[14]

Translation: The purposeful contact with an outcaste is not showing the extension of death. Because of the word vow, there is an extension of the twelve years' vow alone. Here even though there is an extension (*vācanika*) for a man keeping intentional contacts, still there is no reduction and the vow must be observed for complete 12 years. Because, according to Hārīta, the great sinners are purified after a period of 12 years.

Explanation: While discussing the topic of expiation for a man who keeps contact with a *patita* person, Nīlakaṇṭha quotes a verse from the *Manusmṛti*. The verse[15] as under:

Nīlakaṇṭha further cites another opinion of Jābāli who holds that *samsargim yenasamsargam kuryāt tat vratamācaret.*

The verse of Manu and the statement of Jābāli show that a person who keeps contact with a *patita*, should observe the same vows which a *patita* is required to observe, because of the express text of Harita.

Here, in spite of this being *vācanika atideśa* of the vow, the full vow of 12 years is to be observed and not half of it, as decided elsewhere.[16]

This is so, because the text of Hārīta actually prescribes the 12 years' expiation even in the case of *a patita*. It should be noted that the text of word is inclusive of the *samsargī*.

Further, even when the contact is intentional, yet, the extension of death expiation is ineffective owing to an explicit text of Jābāli which mentions only vrata and does not make any reference to death. In conclusion, this is a case of *vācanika atideśa* on account of the express text of Jābāli.

57 VYAVAHĀRA MAYŪKHA[17]

Translation: The *vānaspatya-mantra*, "Oh Vanaspati (tree) may you grow with a hundred branches." (Rv. III.8.11). The line '*Mantraḥ saumyo vanaspatyaḥ*' is merely reiterated what already follows from the extended application contained in the word '*yūpavat*'.

Explanation: In the verse[18] the word '*yūpavat*' .

,The *vānaspatya-mantra 'Vanaspate, śatavalśo viroha'* which is recited at the time of cutting of the tree for preparing a sacrificial

post should also be chanted at the time of cutting of a tree for preparing a balance.

Now the question arises whether the *vānaspatya-mantra* which is chanted at the time of the cutting of a tree for preparing a sacrificial post is laid down in the present context of cutting of a tree for preparing a balance, is indicating *vidhi* or *anuvāda.*

What our author means to say is that nothing new is laid down here. But by the word *'yūpavat'* is reiterated the *vānaspatya-mantra* which occurs previously. Here we get the extension of the mantra of *vānaspatya* in the present case. In the present case, we mark the extension of *vānaspatya-mantra* from the occasion of cutting of a tree for preparing a sacrificial post to the occasion of the cutting of a tree for making a balance. Therefore, there is the reproduction of *vānaspatya-mantra* which occurs in the context of the cutting of a tree for preparing a sacrificial post in the case of the occasion of the cutting of a tree for preparing a balance on account of the extension.

Nīlakaṇṭha casually refers to the highly technical term *anuvāda* from the *Pūrva-Mīmāṁsā.* Anuvāda consists in the reproduction of the thing for the purpose of showing its association with another thing. In the present case, we mark the association of the *vānaspatya-mantras* with the occasion of the cutting of a tree for preparing a balance. This, however, is a case of *sāmya-atideśa,* because the word '*yūpavat*' occurs in it.

92 ŚRĀDDHA MAYŪKHA[19]

Translation: Gautama lays down the ceremonial disposition (*pratipatti*) of the *vikira* (i.e., food along with water thrown on the ground for the satisfaction of the dead person) things. *Vikira* may be called as remnant, by the instrumental. The instrumental case for showing close association. Bhārgava quotes the opinion of Taulvali who says that the ceremonial disposition of the *vikira* things may be done in the same manner in which the ceremonial disposition of the *piṇḍas* is done.

Explanation: While discussing the topic of the ceremonial disposition of the *vikira* things, our author, in the first place, quotes the opinion of Gautama who calls the *vikira* things as remnant.

Nīlkaṇṭha quotes the line from the *smṛti* of Bhārgava who, in his turn, quotes the opinion of Taulvali who holds that the ceremonial disposition of *Vikira* things may be done in the same manner in which the things or the *piṇḍas* arre disposed. In other words, just as the ceremonial disposition of the *piṇḍas* is done, either in the water of the river or in the water of the sea, in the similar manner, the *vikira* things are to be disposed of.

This, however, can be treated as the case of a *sāmya-atideśa.* This is so, because the word 'vat' in the expression '*piṇḍavat pratipattiḥ*' shows the same.

In conclusion, the *pratipatti-karma* of the *vikira* things may be done in the same manner in which the *piṇḍas* are disposed of. Here it may be urged that on account of the expression '*piṇḍavat pratipattiḥ*', this can be treated as a fit case of *sāmya-atideṣa.*

98 ŚRĀDDHA MAYŪKHA[20]

Translation: Having told the *karma* from āvāhana, etc., upto the gift of the rice-balls, Yājñavalkya says: '"Then the grandfather and the great-grandfather of the mother be offered water." Thus, here is an extension of the materials which are told and which are yet to be told.

Explanation: While discussing the topic of the measurement of the rice- balls to be offered in the honour of the dead ancestors, Nīlakaṇṭha says that in the case of the grandfather, big rice-balls of the middle size may be offered. While in the honour of the great-grandfather, the rice-balls should be of the biggest size. And it is fit to be remembered that all the *karmas,* right from āvāhana upto *piṇḍadāna,* are laid down in the case of the fore-fathers of father.

Our author quotes a line from *Yājñavalkya-smṛti* as under: '*mātāmahānām apyeyam yadyadacamanām tataḥ*'. This text of Yājñavalkiya lays down that in the honour of the fore-fathers of the mother, the water may be offered.

While commenting on this line of the *Yājñavalkya-Smṛti,* our author says that, by the word *'evam'* occuring in it, there is an *atideśa* of the material laid down in honour of the fore-fathers, which are told and which are yet to be told in the case of the fore-fathers of the mother, from *āvāhana* up to *piṇḍadāna.*

Thus, in the case of the *śrāddha* ceremony of the fore-fathers of the mothers, there is an extension of the sizes of the rice-balls and items such as water to be offered in honour of the fore-fathers of the father.

This, however, may be treated as a fit case of *sāmya-atideśa*, because the word *'evam'* occuring in it, is indicative of it.

3. ADṚṢṬA

Every part of the Vedas must have some purpose according to the Mīmāṁsakas. So, whenever any subsidiary rite has no visible effect on the rite to which it is subsidiary, it is assumed that it has some invisible effect on that rite. Thus *adṛṣṭa* is a convenient peg, on which the Mīmāṁsakas hang everything, for which no seen purpose or fruit can be pointed out.

107 VYAVAHĀRA[21] MAYŪKHA

Translation: Even if it be conceded that a seen result somehow follows (from this prohibition) it is necessary to postulate some unseen result for the positive injunction (*niyama*, viz., a son should be given for adoption in distress).

Explanation: While discussing the topic of adoption, Nīlakaṇṭha quotes the following verse[22] from the *Manu-smṛti* IX.168.

This verse means that he is to be known as the son given, whom the father or the mother affectionately gives (to another) as his son in (times of) distress confirming (the gift) with water, the boy being of the same (*varṇa*, with the person adopting).

In this verse, it is stated that the son should be given in adoption when the adopting person is in distress. Here, the stress is intended on the word *āpadi*. So the intention of the author of the *Manu-smṛti* is to lay down the *niyama-vidhi*. *Niyama-vidhi* not only produces some seen results, but unseen results also are produced by it.

If, however, the *niyama-vidhi* is violated or broken, then the *yajamāna* will not get the desired unseen fruit or reward.

In the present case, the giving of the son in adopting is a *niyama-vidhi*. And if, having violated this rule the *yajamāna* gives the son in adopting when the adopting person is not in distress, the *yajamāna* will not, thereby, get the unseen fruit.

What our author means to say is that even though some kind of seen fruit can be derived from the giving of the son in adoption, yet it is necessary to postulate some unseen result for the positive restrictive rule or injunction. The giving of the son in adoption must have some spiritual or unseen result, as in the Vedic restriction of unhusking the grains of rice by mortar and pestle. Therefore if this restrictive rule is violated, then one cannot secure the unseen result which is the urging motive (*prayojaka*) of a particular act.

In conclusion, our author holds that even though the adoption has some seen results, yet it is necessary to postulate some unseen result which is the urging motive of a particular act.

4. ANUVĀDA

Anuvāda is defined as *'jñātajñāpako, nuvādah'*. *Anuvāda* is a reproduction of the thing already known for the purpose of showing its association with another thing, e.g., the injunction *'agnihotram juhuyāt'* lays down a *yāga* for attaining heaven. In the context of this yāga, there is another sentence *'dadhnā juhoti'*. The reproduction of *yāga*, in this sentence (conveyed by the word *juhoti*) is for associating curds as material with it. *Anuvāda* is considered as the second variety of *arthavāda*. When something is definitely ascertained by other means of knowledge and becomes the subject of a text, it is called *anuvāda*. We get the following examples of *anuvāda* from the text of Nīlakaṇṭha.

104 ĀCĀRA MAYŪKHA[23]

Translation: The word *'pūjayet'* is mere reproduction of the *Manuṣyayajña* and not a separate *vidhi* or injunction to be performed after the *homa*, i.e., a sacrifice.

Explanation: While discussing the topic of the *Vaiśvadeva* rite Nilakaṇṭha quotes the following line from the *Viṣṇu-smṛti: prajāpatim havir hutvā pūjayet atithim tataḥ* which means that having offered an oblation in honour of the deity Prajāpati, the *yajamāna* should worship the guest.

Now the question arises to whether the worship of the guest after offering an oblation in the honour of the deity Prajapati, is a case of *anuvāda* or *vidhi*, i.e., injunction.

Nīlakaṇṭha solves this question by saying that this is a mere reproduction of the *Manuṣyayajña* which is to be performed by the *yajamāna* and it is not at all a case of new *vidhi* or injunction. So the worship of the guest laid down in the *Viṣṇu-Smṛti*, after offering an oblation in honour of the deity Prajāpati, is mere reproduction of the *Manuṣyayajña*. So this is a fit case of *anuvāda*.

89 VYAVAHĀRA MAYŪKHA[24]

Translation: As to the text of Gautama (*Dharma-śūtra*. X. 39.42) "Ownership arises by *riktha* (heritage), purchase, partition seizure (lot of the things unowned) and finding (of the hidden treasure); in the case of brāhmaṇas what is acquired by gift is an additional (source of ownership), in the case of kṣatriyas gains of conquest (is an additional source), in the case of vaiśyas and śūdras trade and service respectively are the additional sources of ownership that are already known from the ordinary worldly life.

Explanation: In the *Gautama-Dharma-śūtra* (X.39.42.) various ways of creating ownership are enumerated. For example, heritage, purchase, partition, seizure and finding are the means of ownership. Gift is a good source for a brahmin. Gain of conquest is a source for the kṣatriyas and service or trade is a good source of ownership of vaiśyas and śudras.

Now an interesting question that arises here is whether Gautama's text lays down any *utpattividhi or anuvāda*. Nīlakaṇṭha solves this question as follows: According to him, what is stated in the *Gautama-Dharma-sūtra* is not something new which cannot be understood by any other *pramāṇa*. On the contrary, whatever various modes of ownership we find in the *Gautama-Dharma-śutra*, are enumerated from the worldly dealings. Any practical person *acquainted* with the worldly dealings will very easily come to know all these various modes of ownership. So it is not necessary for any practical person to refer to the text of Gautama. In short, as Gautama has not added any other source/ unknown to the worldly dealings, the text of Gautama is to be understood as mere reproduction (*anuvāda*) of the worldly dealings.

113 VYAVAHĀRA MAYŪKHA[25]

Translation: Therefore that permission of husband which follows (as a matter of course as requisite) in a certain condition is

merely reiterated in this (passage of Vasiṣṭha) and is not enjoined as new and positive injunction.

Explanation: While discussing the statement of Vasiṣṭha in connection with adoption, Nīlakaṇṭha quotes the following verse[26] from *Vasiṣṭha-smṛti:*

This verse simply means that whatever acts for the benefit (of the soul) after the death of the husband a woman does without being permitted by the father or the husband or the son, bring no fruit (for her).

Now the question arises whether the text of Vasiṣṭha lays down a permission for the wife to do any act for the benefit of the dead husband, is intended to serve as *apūrva-vidhi* or *anuvāda.* Our author points out that the text of Vasiṣṭha simply reiterates or repeats this idea of permission from the text of Yājñavalkya and the *Kātyāyana-smṛti.* So in this respect, there is only reproduction. It cannot be said that Vasiṣṭha's text conveys any *apūrva-vidhi.* When any *vidhi* which is laid down is not known from any other available authoritative *pramāṇas* but it can be known only by the *śāstrapramāṇa,* then it is considered as an *apūrva-vidhi.* As the text of Vasiṣṭha simply reproduces the idea of permission from the text of Yājñavalkya and the *Kātyāyana-smṛti,* it cannot be a fit case of *apūrva-vidhi,* but it is to be treated as an instance of *anuvāda.*

42 ŚUDDHI MAYŪKHA[27]

Translation: The expression *daśame'hani,* i.e., on the tenth day being available from other authorities, is the reproduction of the removal of impurities.

Explanation: While discussing the topic of the *sagotra* or *asagotra* persons who offer fire to the body of the dead person, Nīlakaṇṭha quotes the following verse[28] from the *Pradīpa.*

This verse means "Oh! friend, *sagotra* or *asagotra* person who offers fire (to the body of the dead person) will be purified on the tenth day. And he should perform *navaśrāddha.*"

Now the question arises whether the expression *'śuddhayettu daśame ahani'* occurring in the verse is a case of *vidhi* or *anuvāda.*

Our author thinks that this a case of *anuvāda,* because we know from other authorities that a man will become purified on

the tenth day, after removing the impurity arisen as a result of burning the body of the dead person.

In conclusion, the expression *'daśame ahani'* is a mere reproduction of the same knowledge which we can get from other authorities. So, this is a fit case of *anuvāda* and not of *vidhi*.

FOOT-NOTES

1. Āvṛttistolanamātrasya na sāṅgaprayogasyeti prācyāḥ/Evaṁ tu vaiguṇya-aparihārāt sāṅgaḥ prayogaḥ āvartanīya ity Madanaḥ/Vyavahāra- Mayūkha p.61.
2. Pradhānaṁ cātra grahapūja...śrīkāmaḥ śāntikāmo vā grahayajñaṁ samācaret....homapūjāphalasaṁbandhāt/Śānti Mayūkha p.22.
3. Ata eva pracetasā 'śtrī-garbhiṇī-go-garbhiṇī-bāla-vṛddha- vadheṣu bhṛṇahā bhavati' ity brahmahatyā vratam atidiṣṭam/Prāyaścitta Mayūkha.p.82.
4. Garbhiṇiṁ kapilāṁ dogdhrīṁ homadhenuṁ ca suvrātaṁ/Khaḍgādihnā ghātayitvā dvigunaṁ vratamācaret/Bṛhaspati-Smṛti III.6.
5. Tatra śūdrasya kapilā-kṣirapāne cyavanena brahmahā ity tādrūpyātideśaḥ kṛtastena tasya tatra navābdam/Pryaścitta Mayūkha p.110/
6. Kāpilam yaḥ pibet śūdro narake sa vipacyate/hutaśeṣam pibet vipro vipraḥ syādanyathā pasuḥ/Bhaviṣyat-Puraṇā I. 17.51.
7. Etacca vācanikātideśāt pādonamiti kecit/Pūrṇameva tu yuktam/ Prāyaścitta-Mayūkha p.165.
8. Yat pumsaḥ paradāreṣu samāneṣu vidhīyate/Vyabhicare' pi bhartṛḥ stri tadaśeṣam samapayet/Bṛhaspati-Smṛti quoted in Prāyaścitta Mayūkha p.165.
9. Ye tu antyāvasayinaścāndāladayasteṣaṁ strīgamane guruprayāścittamuktaṁ gutalpātideśe/Prāyaścitta-Mayūkha p.165.
10. Caṇḍālaḥ śvapacaḥ ksattā suto vaidehakastathā/Magadhayogavau caiva saptaitantyavāsāyinaḥ//Mādhyama-aṅgirasa Smṛti.
11. Divā svapne utsarge balādutsarge ca nairtayāgamātram 'etadeva retasya divā svapne va ity vāsiṣṭhena yāgamātrātideśāt/Prāyaścitta-Mayūkha p.176.
12. Idaṁ ca brahmacaryātideśe' avakīṛnivratam gurutvāt parastrīgamana eva/Prāyaścitta-Mayūkha p.176.
13. Vānaprastho yatiścaiva khandane sati kāmtah/parākatrayasaṁyuktaṁ avakīrṇīvrataṁ caret/Śāṇdilya-Smṛti quoted in the Prāyaścitta Mayūkha p.176.
14. Matipurve apisamsarge na māraṇātideśaḥ; kimtu dvādaśādbasyaiva vratapadāt/ Atra ca satyapi atideśe pūrnameva dvādaśābdaṁ bhavati 'dvādaśabhiḥ varṣaiḥ mahāpatakinaḥ ity Hārītokteḥ/ Prāyaścitta- Mayūkha p.188.
15. Yo yena patitenaiṣāṁ samsargaṁ yāti mānavaḥ/Sa tasyaiva vrataṁ kuryāt tatsams-sarga-viśuddhaye/Manu-Smṛti quoted in the Prāyaścitta-Mayūkha p.188.
16. Cf:- Prāyaścitta-Mayūkha p.14.
17. Vānaspatyo vanaspate śatavalśo viroha (RV. III.8.11) asya yūpavat ity atideśāt siddhasyaiva-anuvādaḥ/Vyavahāra-Mayūkha p.57.
18. Chitvā tu yajñiyaṁ vrksam yūpavat mantrapūrvakam/Praṇamya lokapālebhyastulā kāryā manīṣibhiḥ/
19. Vikirasya Pratipattim āha Gautamaḥ-Vikiram ucchiṣṭaiḥ pratipādayet/ ....Bhārgava-piṇḍavat pratipattiḥ syāt vikirasyeti taulvaliḥ/Śrāddha-Mayūkha p.92.

20. Āvāhanādi piṇḍadānantaṁ karmoktvā āha Yājñavalkyaḥ 'Mātāmahānāmapyeyaṁ dadyāt ācamanaṁ tataḥ/' evamityukta vakṣyamāṇa-padārthātideśaḥ/Śrāddha-Mayūkha p.98.

21. Kathaṁcit dṛṣṭārthatve' pi vā niyam-adṛṣṭasya āvaśyakatvāt na tadatikrame kārya-viśeṣa-prayojaka-adṛṣṭasiddhiḥ/Vyavahāra-Mayūkha p.107.

22. Mātā pitā vā dadyātāṁ yamadbhiḥ putramāpadi/Sadṛśam prītisaṁyuktaṁ sa jñeyo datrimaḥ sutaḥ//Manu-Smṛti IX.168.

23. Pujayediti tu svakālīna-manuṣya-yajña-anuvādamātram, na tu homottaram tadvidhiḥ/ Ācāra-Mayūkha p.104.

24. Yattu Gautamaḥ-Svāmi-rktha-kraya-saṁvibhāga-parigraha-adhigameṣu brāhmaṇasya-adhikaṁ labdham, kṣatriyasya vijitam; nirviṣṭam śūdra-vaiśyayoḥ (Gautama-Dharma-Sūtra X.39-42) ity tat lokasiddhakāraṇa-anuvādakam-/ Vyavahāra-Mayūkha p.89.

25. Ato yasyāmavasthāyāṁ bhartranujñā prāptā sā eva atra anūdyate na tu apūrvā-vidhīyate/Vyavahāra-Mayūkha p.113.

26. Nāriṁ khalu-ananujñatā pitrā bhartrā sutena vā/viphalaṁ tad bhavet tasyāḥ yat karoti aurdhvadehikam//Vasiṣṭha-Smṛti quoted in the Vyavahāra-Mayūkha p.113.

27. Daśame ahanīti tu mānāntara-prāpta-śauca-avadheḥ anuvādaḥ/śuddhi-Mayūkha p.42.

28. Sagotro vā assagotro vā yo agnim dadyāt sakhe naraḥ/So api kuryāt navaśrāddhaḥ śuddhyettu daśame' ahani/Verse quoted from Pradīpa in the Śuddhi-Mayūkha p.42.

15

THE DATTAKACANDRIKĀ AND PŪRVAMĪMĀṀSĀ

According to some scholars, the *Dattakacandrikā* (D.C.)[1] is a treatise on adoption written by Kuberabhaṭṭa who flourished sometime after the 13th Century A.D.,and before the end of the 16th Century A.D. But this view may not be correct. For, the real author of the treatise D.C. appears to be Raghumaṇi. The last verse of the D.C. is interpreted by the scholars in such a way as to derive the name Raghumani which is supposed to be the name the real author of this treatise.[2] And the long standing controversy regarding the authorship of this treatise came to an end. It is also quite likely that Kunberabhaṭṭa or Kuberapaṇḍita was a Pandita appointed by Colebrooke and he made the literary forgery of the work of Raghumaṇi who was quite well known in Bengal.[3]

Raghumaṇi, the author of D.C. has introduced some of the Mīmāṁsā technical discussions for arriving at the pointed conclusion. The comparison of Raghumaṇi with Nandapaṇḍita, the author of the *Dattakamīmāsā* (D.M.) is also interesting and instructive. The probable date of Nandapaṇḍita according to MM. Dr. P.V. Kane is 1595 A.D. to 1630 A.D. In this paper, therefore, an attempt is made to determine the position of D.C. as a close student of the Pūrva Mīmāṁsā and to point out the influence of Nandapaṇḍita over the writing of Raghumaṇi in resorting to the Pūrva-Mīmāṁsā doctrines for arriving at the pointed conclusion.

An attempt is also made here to make the proper comparison of our author Raghumaṇi with other writers on Dharmaśāstra like Vijñāneśvara and Nīlakaṇṭha, only from the Mīmāṁsā point of view and the method of treatment of the topics.

I. The author of the D.C. has employed in the course of his discussion about six maxims of the Mīmāṁsā and popular parlance. The *Kapiñjaladhikarṇa-nyāya (p.28), Daṇḍāpūpikānyāya (p.46), Siddhe satyaroṁbho niyamāya (p.68), Vidheyagatam viśeṣaṇam avivaksitam (p.6)*[4], *Pratinidhi-nyāya (p.6)* and *Apratiṣiddham paramatam anumatam bhavati (p.24)* may be noted in this respect.

While discussing the conduct of a man who is impotent or whose off-spring has died, Raghumaṇi quotes the *smṛti* of Vṛaddha Gautama, that stipulate: 'Having given a pair of cloth, a pair of ear-rings, a turban and a ring for the fore-finger to a priest who is religiously disposed and who is a devotee of Viṣṇu and is well-versed in the Vedas one should adopt a son only after respecting the king and virtuous Brahmins by the *Madhuparka* ceremony. In the given *smṛti* text, the word *dvijān* occurs and Raghumani, following the principle of *Kapiñjaladhikaraṇa-nyāya,* states that the word *dvijān* refers to the three Brahmins[5]. It may be noted here that the same view is upheld by Nandapaṇḍita in his D.M.[6] Incidentally it may be added that Nandapaṇḍita has virtually followed the principle of the *nyāya* though he has not named it. This is also further clear from the commentary *Mañjarī* on the D.M.[7] Above discussion also helps us to rightly infer that Raghumaṇi is influenced by the view point of Nandapaṇḍita.

Again while discussing the right of inheritance of a son begotten by a man of the fourth caste on his female slave or the female slave of his male slave, Raghumaṇi quotes the verse from the *Manusmṛti* IX.179 and the text of the *Yājñavalkya-smṛti* II.133 and states that the son in question is also entitled to get, like any other regular sons, an equal share of his father's property if the father is alive and only half a share after the death of the father. The author further argues that in that case following the principle of the *Daṇḍāpūpikā-nyāya,* it automatically follows that the *kṣetraja* and the dattaka sons also are entitled to the same share[8]. What Raghumaṇi means to say is that if the sons of the female slaves are entitled to get the share, then the *kṣtreja* and the *dattaka*

sons, the better ones, must also get share in the ancestral property. Here also it may be noted that Vijñāneśvara and Nīlakaṇṭha have not used this maxim in this context, though it is true that they have used the same maxim in the other context. He touched upon some points of the Dharmasastra, left untouched or partly touched by his predecessors.

II. Raghumaṇi quotes the views of the predecessors on some technical points and then proceeds further with the refutation of those views without resorting to the Mīmāṁsā principles.

The point can be best illustrated by inviting the attention of the readers to the text of the *Manusmṛti* IX.168[9] quoted by Raghumaṇi in his D.C. Regarding the interpretation of *sadṛśam* occuring in the given text of Manu, Raghumaṇi refers to the view of Medhātithi who takes *sadṛsam* to mean 'equal not by caste but by qualities in confirmity to the family.' But Raghumaṇi disagrees with Medhātithi and states that the expression means 'equal by caste only'. To support his own view he quotes Śaunaka, Yājñavalkya and Vṛddha Yājñavalkya and points out that the view of Medhātithi is not supported by the express texts of the Dharmaśāstra. In this context, it will be reasonable to point out that the same view is also upheld by the authors of the *Vyavahāramayūkha* and the *Vīramitrodaya*. Here also it should be noted that for arriving at this conclusion, the *Vyavahāramayūkha* employs the principle of *Upasaṁhāra*, a Mīmāṁsā technical point and quotes the opinion of Kullūkabhaṭṭa[10] in support. One may have to admit that Raghumaṇi has not employed the said Mīmāṁsā technical point, even though he arrived at the same pointed conclusion.

III. We often notice a respectable amount of similarity in the works of the writers on Dharmaśāstra in employing the Pūrva-Mīmāṁs maxims. In this respect, our author stands in the list of the well-known authors like Nīlakaṇṭha and the author of the *Smṛticandrikā*. Generally the readers of the Dharmaśāstra come across the use of the maxim *Uddeśya-gataṁ viśeṣaṇaṁ avivakṣitam.* But Raghumaṇi has employed the principle *vidheyagatam viśeṣaṇam avivakṣitam.*[11] The converse of this maxim viz. *Vidheyagatam viśeṣaṇam vivakṣitam* is employed by Nīlakaṇṭha in interpreting the text of the *Kātyāyanasmṛti*.[12] In the

employment of the *Hetuvat nigadādhikaraṇa-nyāya*, our author Raghumaṇi resembles Devaṇṇabhaṭa who also has used the same principle.[13]

IV. In avoiding the fault of *Vākyabheda*, Raghumaṇi stands in comparison to Nīlakaṇṭha. Our author combines some apparently conflicting *smṛtis* including that of Nārada and deduce a single stipulation and escapes the fault of *Vākyabheda*, which arises when in a single sentence two injunctions are laid down.[14] In this context it may be pointed out that even the great commentators like Viñāneśvara and Aparārka are said to have failed to avoid this fault of *Vākyabheda* at times.[15]

V. In the employment of the principle of *Upalakṣaṇa*, Raghumaṇi comes very close to the other writers on the *Dharmaśāstra* like Kullūkabhaṭta and others. For while interpreting the text of the *Manu*,[16] Raghumaṇi suggests that the word *Putra* in this text is illustrative[17] of grandson and great-grandson and does not cite any authority in support. In this respect it is reasonable to point out that Nandapaṇḍita in his D.M. has also interpreted the same word of the same text of manu by employing the principle but he is careful of *Upalakṣaṇa*, quotes *Manusmṛti* IX.137, in his support. Thus in employing this principle, Raghumaṇi is rather careless, and hence has not cited any proper supporting authority.[18]

VI. The principle of the maxim *Paramataṁ apratiṣiddhaṁ anumataṁ bhavati* has been used by Raghumaṇi in his D.C. It means that if the opinion of others is not challenged or opposed, then it becomes as good as accepted. This principle is used by Raghumaṇi in interpreting the text of Vasiṣṭha.[19] He concludes on the strength of the above maxim that approval (*anumati*) of husband is deemed to have been obtained if he does not oppose the wife's action of giving away her son in adoption.[20] It is also interesting to note that for giving the above explanation on the basis of the above quoted maxim, our author further quotes, in his support Yājñavalkya. It may also be observed that this maxim is put to use by the author of D.M. to show that one can adopt a son from the other castes as long as this adoption is not prohibited by the express texts.[21]

VII. Our author also makes use of the Mīmāṁsā principle of *Pratiprasava* (i.e. exception to the exception or exception to the

negative rule) in interepreting some verses[22] from the Purāṇas. These verses seem to lay down that if the *saṁskāras* upto caula have already been performed for a boy by his own father, as per his own *gotra* then he does not become the son of the adopter, if he adopts the boy after the said *saṁskāra*. This is a negative rule. Raghumani however concludes that the boy becomes his (adopter's) son only if the same *saṁskārās* are again performed for the boy by the adopter as per his *gotra*. Thus, our author has shown the utility of the text of the *Purāṇas* by using the principle[23] of *pratiprasava*.

VIII. Like other writers on the Dharma-śāstra, Raghumaṇi also refers to some of the view point of the well-known Mīmāṁsaka Śabarasvamin. He refers to that author by the expression *bhāṣyakara*[24] on the point of *dvyāmuṣyāyaṇa*. It may be noted here that he gives only the view and does not quote verbatim the opinion of Śābara. Now the attention may be drawn to the fact that D.M. on this context, mentions the name of Śabarasvāmin and quotes him verbatim and also offers a gloss on it.[25] From this it is clear that Raghumaṇi is highly influenced by Nandapaṇḍita.

IX. Our author makes use[26] of the *nyāya* of the *hetuvat nigadādhikaraṇa* known from the *Pūrva-Mīmāṁsā* I.2.26-30. On the basis of this principle Raghumaṇi decides the scope of the text[27] of Vasiṣṭha that enjoins that one should not give the only son of his in adoption and the receiver also should not adopt from a person having only one son. The simple reason at the back of this prohibition is that the son is supposed to continue the tradition of the family and the dead ancestors. So Vasiṣṭha's *smṛti* is not applicable to the ease of the *dvyāmaṣyāyaṇa*[28]. Incidentally, however, it may be noted that the same principle is also used by Devaṇṇabhaṭṭa elsewhere.[29]

X. Unlike Nīlakaṇṭha, at times Raghumaṇi avoids the acute discussion of the Pūrva-Mīmāṁsā technical points. Nīlakaṇṭha introduces a highly technical discussion of the giving of the staff to the priest Maitrāvaruṇa.[30] And also a knowledge of the Mīmāṁsā technical terms—*Arthakarma* and *Pratipatti- karma* is absolutely necessary for the proper understanding of the discussion. On the other hand Raghumaṇi does not introduce any such discussion on this important place of the *Dharmaśāstra*. Here it is significant to

note that the reading of the *smṛti*[31] adopted by Raghumaṇi is slightly different from the reading adopted by Nīlakaṇṭha in his *Vyavahāra Mayūkha.*

XI. Casually, however, it may also be noted that Raghumaṇi cannot stand comparison with Nandapaṇḍita in the matter of citing the opinions of the predecessors like Medhātithi, Vijñāneśvara, Śabarasvāmin, Kumārila and others and also in refuting the views of them whenever occasions so demand.[33]

To conclude, one will have to admit that Raghumaṇi has touched upon though in a small measure, those places of the *Dharmaśāstra,* that are left untouched by the predecessors. At times, however, even though there is an occasion to introduce the hot discussion on the Mīmāṁsā technical points, he does not enter into the acute discussions on the principles of the Pūrva-Mīmāṁsā. Though he finds fault with the arguments of the predecessors like Medhātithi, his arguments are not always based on the Mīmāṁsā technical points. Though one may have to admit that the writing of Raghumaṇi is also influenced by the opinions and language of Nandapaṇḍita, who appears to be more careful in the treatment of the topics, yet, taking into consideration the merits of the D.C. one is tempted to advance the view that any serious student of the Dharmaśāstra and the Pūrva-Mīmāṁsā cannot ignore Raghumaṇi and his appreciable position.

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3. Jaiminīya-Nyāya-Mālāvistara-Anandashram Sanskrit Series No. 24, Poona 1982.
4. The Mīmāṁsā Anukramaṇikā with the Mīmāṁsā Maṇḍana by MM.D. Ganganath Jha. Chowkhamba Sanskrit Series No.377. 1928.
5. The Smṛticandrikā of Devaṇṇabhaṭṭa. Ed.by J.R. Gharpure in the collection of Hindu Law Texts, Bombay, 1918.
6. The Dattaka-Mīmāṁsā with the commentary Mañjarī-Anandashram Sanskrit Series—No.116, 1954.
7. History of Dharma-Śāstra by MM.Dr. P.V. Kane. Bhandarkar Oriental Research Institute, Poona - 1930.

FOOT-NOTES

1. Dattakacandrikā with the marathi translation, Govt. Press, Baroda, 1904.

2. CF:- Ramyaiṣā candrika dattapaddhaterdarśikā laghu/Manoramā sanniveśairanginạ̄m dharma-tāriṇī//D.C. last verse. The first and the last letters of each of the two hemistiches, joined together make the name: Raghumaṇi.
3. See.P.V. Kane-History of Dharma-Śāstra Vol.I.p.1039 and Vol.IIIp.664.
4. See below note II-Ed.
5. Vāsasī kuṇḍale datvā usṇiṣaṁ cāṅgulīyakam/Ācāryaṁ dharmaṣaṁyuktam Vaisnanam Vedapāragam madhu parkeṇa Saṁpūjya rajānaṁ ca dvijān śucin/Dvijān iti bahutvaṁ tritvaparyavasitaṁ kapiñjala-nyāyāt/Ibid. p.28.
6. Dvijān trīn yācanārthatayā madhuparkādinā saṁpūjya ityarthaḥ/ D.M. p.152.
7. Ibid.
8. Kṣetraja-dattakādīnāṁ-aurasena saha vibhāgaprakāraḥ....dāsīputrasya aurasena samāmśābhidhānena pitumantaraṁ bhrātrahitasya tasyaiva dauhitreṇa saha vibhagapradarśaṇena ca ..daṇḍpūpāyitaḥ/ Sati pitari kṣetraja-dattakādīnam aurasena samāmśaḥ; asati tu tat ardhamśaḥ/-Ibid.pp.97-98.
9. Mātā pitā vā dadyātām yamadbhiḥ putramāpadi/Sadṛśam prītisaṁyuktaṁ sa jñeyo datrimaḥ sutaḥ/Manu-Smṛti IX.168.
10. Sadṛśam jātyeti Kullūkabhaṭṭaḥ/Vyavahāra-Mayūkha p.108.
11. Aputreṇetyatra puṁstvaikatvayor-vidheya-viśeṣaṇatayā avivakṣitam/D.C.p.6.

(In fact this passage seems to convey the idea that in the expression a-putreṇa, the masculine gender and singular number are not intended to be the attribute of what is being enjoined; because the adopting the giving away a son by more than one and by women too are approved expressedly by the vaśiṣṭha smṛti.D.C. quotes that smṛti. Thus, these appears to be no such maxim as vidheyagatam visesanam avivaksitam. Ed). Here it may be pinted out that Vijhānesvara in his Mitāksarā on the Yājnâvalkya-Smriti has employed the maxim vidheyagatam viseṣanam vivaksitam.

12. See Śuddhi-Mayūkha P.48.
13. Smṛti-candrika-Sraddha-Kaṇḍa P.122.
14. Anyatha vakyabhede gauravam/ D.C. P.94.
Cf:- Vakyabhede iti-kṣetrajādayah sati aurase rajyāmśamna prāpnuyuḥ; tat anya-dhanāṁśam prāpnuyuriti vākyabhede-Bharatacandrasiromani's gloss Balabodhini (Cal. ed. 1807, p. 34) in this context. ed.
15. Vide Vijñāneśvara and Aparārka as quoted by Nīlakaṇtha in his Vyavahāra-Mayūkha (p. 146) while speaking on the Yājñavalkya-Smṛti II.135-136.
16. I.e. Aputreṇa sutah karyah etc.
17. Atra putrapadaṁ pautraputrayorapyupalakṣaṇaṁ/ D.C. p.4.
18. (But compare Atra putrapadaṁ pautraprapautrayorapyupalakśanam tayotapl plṇḍadatṛtvavamśakaratva avivesat/ Anyathā satyapi pautre mṛtaputraṁ nirnimittaputragrahapattiḥ of the D.C. with Manu-Smṛti putreṇa lokan jayati: pautreṇa ananytam aśnute etc (IX. 137) and the remarks of Kullūkabhaṭṭa thereunder. Ed).
19. Na strī putram dadyāt pratigṛhnīyāt vā anyatra anujñānāt bhartuḥ/ D.C. p. 24.
20. Anumatiśca apratiṣedhe'pi bhavati; apratisiddhaṁ paramataṁ anumatam bhavatiti nyāyāt/ Ibid.

21. Cf:- apratiṣiddhaṁ anumataṁ bhavatiti nyāyena anukampatayā tatprāptisaṁbhavāt/ D.M. p.54.
22. Pitṛgotreṇa yaḥ putraḥ saṁskṛtaḥ pṛthivīpate/ Ācūḍāntam na putraḥ saḥ putratāṁ yāti cānyataḥ/ Cūḍādyā yadi saṁskāra nijagotreṇa vai kṛtaḥ/ instead in D.C. p.42.
23. Janakagotreṇa kṛtacūḍāntasaṁskārasya putratvaṁ niṣiddhya pratigṛhītra punaścūḍādikaraṇa tat pratipresūtam/ Ibid.
24. Cf:- Vivṛtaṁ caitat bhāṣyakāraiḥ/ Ibid. p. 50.
25. Cf:- Vyākhyataṁ caitat śabaraswāmibhiḥ etc. D.M. p.204. (It is good to know fully the context in which the D.M. quotes Śabaraswāmin. The text of the D.M. runs: tadidam sarvamabhipretyāh satyāṣaḍhaḥ nityānāṁ dvyamuṣyayaṇānāṁ dvayoh iti sūtreṇa nityadvyāmusyāyaṇānāṁ qotradvayapravarasnṁbaṅdhaṁ uktvā temeva anityeṣu api adidiśati 'dattakādināṁ tu dvyāmṣyāyaṇavat' iti sutrena/ Vyākhyātam caitat śabarasvāmibhiḥ/ Dvyāmuṣyāyaṇaprasangena anityān āha-Dattaketi etc. D.M. (Cal. ed. Saka 1807) pp.99-100. From this, it would appear that this śabaraswamin referred in D.M. was a commentator of the Śrauta-Sūtras of Satyāṣāḍha. It is difficult to be sure whether he is identical with his namesake, the Mīmāṁsabhāṣyakāra. A comparison of the last mentioned work and its commentators on Ch. X pada vi, Adhikaran 17-18 with the Satyāṣāḍha-Śrauta-Sūtra x.viii.35, 36 ff may give rise to a doubt whether the Mīmāṁsaka Śabaraswamin knew the Satyāṣāḍha Śrautasūtra. Cf:- S. Śankaranārāyaṇan : The Viṣṇukuṇḍis and their times (Delhi-1977) p. 215-Ed).
26. Dvyāmuṣyāyaṇe ca hetuvat nigadadarśitamiti vicchedābhāvāt/D.C.p.22.
27. Na tvekaṁ putram dadyāt pragṛhṇīyāt vā, sa hi santānāya purveṣāmiti vasiṣṭhasmaraṇāt/Ibid.
28. Etasya ca dvyāmusyāyaṇetaraviṣaye sāvakaśātvāt/Ibid.
29. Smṛticandrikā/ Śrāddha-Kāṇḍa p.422.
30. Dauhitro bhāgineyaśceti-yathā bhūtabhavyupayogitvena daṇḍasya maitrāvaruṇāya daṇḍaṁ prayaschati-Op.cit.p.111.
31. Dauhitro bhāineyaśca śūdreṣu kriyate sutaḥ/D.C. p.14.
32. Śūdrasyā pi ca dīyate-quoted in the. Vyavahāra Mayūkha p.110. (In fact there are at least two more readings viz. śūdraistu kriyat sutaḥ etc. Its quoted in the D.C. (Cal. ed. sake 1807,p.6) and in D.M.(Cal.Ed.saka.1807) p.43. The latter authority discusses at length the significance of tu and notes the existence of another reading' dauhitro bhāgineyo va śūdraṇām vihitaḥ sutaḥ-Ibid p.51 ED.)
33. See for example D.M., pp.13,30,101-103, 214 etc.

16

KĀLIDĀSA'S KNOWLEDGE OF PŪRVA-MĪMĀMSĀ

In this paper, an attempt is being made to throw a flood of light upon Kālidāsa's knowledge of Pūrva-Mīmāṁsā in the light of his works available to us. At the outset, one is likely to be astonished by having only a cursory glance at the title. But one will be fully convinced if one drinks deep into the literature of Kālidāsa. The internal evidences also point in the same direction. This discussion is based on Kālidāsa's reference to Jaimini, his employment of the Mīmāṁsā technical terms, application of the the maxims to some of his stanzas, a tacit reference to the famous Mīmāṁsā rule of interpretation, the references to Iṣṭis, oblations and sacrifices in his works; his explicit references to the sacrificial posts and altar and also the sacrificial similes, and incidentally the comments of the well- known commentators on the works of Kālidāsa and also the use of some of the well-known or popular words of the Dharma-Śāstra. I hope that the discussion in his direction will be illuminating to the readers and lovers of the Kālidāsian literature and hence an attempt is made in this direction here. Now, I proceed with the discussion proper in the light of the following information or data collected by me to serve my purpose.

I. Kālidāsa himself refers to Jaimini in his Raghuvaṁśa XVIII.33 in the words manīṣine. Here, however, Mallinātha explains the word manīs ine Jaiminaye Arpitātmā as Brahmavidyā

vidūṣe i.e. well-versed in the metaphysical lore. In another context,[1] Mallinātha explains the word manīṣināṁ as Vidwanse Ity Yāvat learned. This very naturally raises the question as to whether Jaimini who is credited with the composition of the Pūrva-Mīmāṁsā Sūtras has written anything on the Brahma-Sūtras i.e. Sūtras explaining the nature of Brahma. This is concerned with the Uttara-Mīmāṁsā. A careful reader of the Bhagavad-gīta[2], will come to know that while commenting on this stanza, Dr. S.K. Belvalkar remarks that the expression Brahma-Sūtrapada refers to the Sūtras on Brahma composed by Jaimini. He further thinks that Jaimini wrote Śārīraka Sūtras to harmonise the teaching of the Upaniṣads. If we understand the comments of Mallinātha and the remarks of Dr. S.K. Belvalkar together, then it is equally possible to conjecture that Jaimini has written on the Pūrva-Mīmāṁsā Sūtras and also on the Śārīraka or Brahma-Sūtras. This very fact further indicates that Kālidsa was perhaps aware of both the works of Jaimini and must have acquired at least the elementary knowledge of the subject.

II. In his work Kālidāsa has time and again employed mīmāṁsā technical terms perhaps in a very loose sense. It must be made absolutely clear to the readers that Kālidāsa has not used those technical terms of Mīmāṁsā in a highly technical sense in which they are particularly used in the Mīmāṁsā and its application to the Dharm-Śāstra and the Vedānta literature. Moreover, even though other synonymous words were readily available to our master poet, yet he has purposely used the words popular in the Mīmāṁsā. Besides, Kālidāsa has used one and the same word differently in different contexts. This point can be properly understood and appreciated only if one realises the internal working of the mind of the poet and also the time when our poet flourished. Kālidāsa flourished at a time when the importance of the institution of sacrifice was in no way deteriorated; on the contrary the sacrifice was like a machine and every nut and screw of it was very important. Over and above, Jaimini introduced the science of the Pūrva-Mīmāṁsā only in order to remove contraditions in the mutually contradictory matters connected with the sacrifice, and assign proper scope for each and every portion of the Veda in the sacrifice. With this background, an appreciative reader will come to know Kālidāsa's ingenuity in using the Mīmāṁsā technical terms.

Now I discuss here some cases to substantiate the point in details. Kālidāsa has not used the word pratipatti-karma; but only pratipatti in his literature in several senses. The word pratipattikarma is used in the Pūrva-Mīmāṁsā to denote the act of the ceremonial disposition of a thing that is of no use in the near future.[3] Now, Kālidāsa has employed this word pratipatti in the Raghuvaṁsa I.1, the expression means understanding. (2) In the Mālavikāgnimitram[5], this word means a remedy. (3) In the Śākuntalam,[6] the word pratipatti means common regard or respect and (4) in Kumārasaṁbhavam[7], the word pratipatti means the mental inclination. It must be noted here that in other contexts,[8] the word partipatti is used in the sense of a news only. Any serious reader of the works of Kālidāsa will easily detect that the poet has not used the word Pratipatti here in the highly technical sense in which it occurs in the Pūrva-Mīmāṁsā. It must be incidentally borne in mind that even though other synonymous words were readily available to the poet, yet he has deliberately avoided the use of such words and selected or chosen this word instead. This can perhaps be understood in the light of the above background.

Now I turn to the word Vidhi employed by the poet variously. The word Vidhi[9] is used in the Pūrva-Mīmāṁsā in the following sense. Vidhi is that portion of the Veda which makes known a matter not known by any other means of knowledge e.g. "*Agnihotram juhuyāt svargakāmaḥ.*" This injunction lays down the Agnihotra sacrifice which is not enjoined by any other means of knowledge and which holds heaven as its aim. Our poet has used the word Vidhi rather loosely in the sense of activity, action or deed. Here also the strict Mīmāṁsā sense is not intended by the poet. But our poet could have used other synonymous words like *kriyā, karama, ceṣṭitam* etc. One may say that Kālidāsa has used the word Vidhi at times in his works for the metrical purposes. But this is not always the case. When the word Vidhi occurs in the prose dialogues, the purposeful use of it cannot be neglected by any careful and appreciative reader of the works of Kālidāsa. Kālidāsa often uses the word yathāvidhi in the sense of as per the rules, vidhijñaḥ one who knows the rules, vidhivat as per the rules, those who have offered oblation, in the sacrifice as per the rules yatha vidhihutā gnīnāṁ. In the Raghuvaṁśa[10] VI.63, the word Vidhi is

connected with the acceptance of the hands of a bride at the time of marriage. In the Raghuvaṁśa[11] VIII.25, the word Naiṣṭhika Vidhi means the rite benefitting the person in the third stage. In the Raghuvaṁśa VIII. 94, Kālidāsa connects the word Vidhi with Rakṣaṇam and Rakṣaṇavidhi means the act of protection. In the Raghuvaṁśa VI.176, the expression asamaptavidhih[12] is used in the sense of one who has not completed the performance of a sacrifice. In the Meghadūtam[13] I.29, the expression *vidhina* means by the mode or by the means. In the Vikramovaśīyam[14] I.8, the word Vidhi is used in the sense of the act or creation or production. In the Kumārasaṁbhavam[15] I.35, the word Vidhi is connected with the fashioning of or creating the remaining limbs. Again in the Kumārasaṁbhavam[16] I.60, Kālidāsa has used the expression Niyamavidhi. Here the expression Niyamavidhi means the observance of prescribed rites. It is paraphrased by the commentator as Pujadiniyama Vidhānasya. Here one can legitimately conjecture that Kālidāsa is possibly aware of the division of Vidhi into Niyama Vidhi and Parisaṁkhyā Vidhi. Again in the Kumārasaṁbhavam[17] III.28, the word vidhi is connected with manufacturing the totality of merits. In the Kumārasaṁbhavam[18] V.22, Kālidāsa has connected the word Vidhi with pāraṇā i.e. the rite of bringing the vow to a close or termination. In the Kumārasaṁbhavam[19] V.33, our poet has used the word in the sense of the performance of the bath ceremony.

In the Mālavikāgnimitram,[20] the word majjanavidhi the occurs and it also means the ceremony of bath. In the Mālavikāgnimitram,[21] the expression prasādhana- vidhi occurs in the sense of the art of decoration. In the Śākuntalam[22] VI.6, there is a reference to the prohibition of the special act of decoration on the part of the king Dusyanta. This profuse use of the term Vidhi on the part of our poet is indicative of the fact that he has used the term Vidhi in a varied sense; but at the same time, it also affords us some scope of conjecture that Kālidāsa must be aware of the Mīmāṁsā sense of this word. Kālidāsa has used the verbal forms of the words Vikalpa[23] and Niṣedha particularly in the Śākuntalam. In the Raghuvaṁśa[24] V.18, the verbal form niṣidhya means having prohibited. Again we get the past passive participle form of the root niṣiddh in the Kumarasambhavam[25] I.26, where

it means that Menā prohibited Pārvatī from performing the austere penance. In the Śākuntalam, Duṣyanta says ko nu khalu eṣah niṣidhyate. This means "Who indeed is prohibited here. The use of these two technical terms Vikalpa and Niṣedha helps us to conjecture that Kālidāsa had some idea of the terms Niṣedha and Vikalpa used in the Pūrva-Mīmāṁsā. Besides, Kālidāsa has used the expression Upalakṣaṇa, in the Vikramorvaśīyam.[26] The word Upalakṣaṇa occurs in the Dharma-Śāstra and the Pūrva-Mīmāṁsā in the sense of "Implication of something in addition to the thing similar to it, but not expressed in the words. In the Vikarmorvaśīyam, the word Upalakṣaṇa is used by our poet in the sense of "sign". Here also one is tempted to say that Kālidāsa is aware of the general sense of the Upalakṣaṇa. Kālidāsa must have the rough idea about the Bhūtārthavāda which means when a text is not opposed to any other Pramāṇas or is not definitely ascertained otherwise, then it is called Bhūtartha-Vāda. Bhūtārthavāda is in fact a statement of an accomplished fact or of a past event. Actually, Bhūtārtha means a thing that has occurred in the past and hence is certainly real in so far as it has actually taken place. In the Śākuntalam the Sūtradhāra says, Kathayāmi te/bhūtārthaṃ. This very word Bhūtārtha is sufficient to indicate the rough idea of the Bhūtārthavāda-the third variety of Artha-Vāda, in the mind of our poet. Besides, Kālidāsa knows the words Kratu and Parisaṁkhyā. He very cleverly calls the drama as Kāntam Kratum cākṣuṣam and thereby makes a tacit and skilful reference to the word Kratu on which there is a hot debate as to whether the particular deed laid down by the Dharma-Śāstra means beneficial interest of a sacrifice. Moreover, Kālidāsa has very cunningly made a reference to the technical term "Parisaṁkhyā" in the Raghuvaṁśa[28] V.21. Here even though it is true that the Mīmāṁsā technical term Parisaṁkhyā is not used here strictly in that sense, yet this reference is suggestive since in the Raghuvaṁśa V.1 and VI.76, there is a reference to the Viśvajit sacrifice, which is also a subject of the Pūrva-Mīmāṁsā. In the Pūrva-Mīmāṁsā, there is a hot debate whether the King performing this sacrifice, is entitled to make a valid gift of everything including his son, wife, servants etc. The gift[29] of everything belonging to the king forms the subject matter of the Viśvajit sacrifice. And a reference to this

sacrifice, in the works of Kālidāsa is also purposeful and thereby exhibiting his acquaintance with the tough subject of the Pūrva-Mīmāṁsā. Again the Mīmāṁsā technical term "Bādha" is also used by our poet, though in a sense other than the one intended by the Mīmāṁsakas. In the Śākuntalam,[30] VIIth Act, the word bādhyamāna is used in the sense of "being tormented or harassed. Even in the third Act of the Śākuntalam in the speech of Gautami there is a reference to the Bādha. Here the word means free from troubles. It is obvious here that the Mīmāṁsā sense of the word Bādha also is not intended here. Again Kālidsa has very often used the words Prakṛti and Vikṛti in different senses. In the Raghuvaṁśa[31] VIII. 87, the word prakṛti means nature and Vikṛti means change. In the Meghadūtam[32] 1.5, the expression means one who is naturally disposed to lament. In the Meghautam[33] I.6 the expression prakṛtipuruṣaṁ means a chief officer or the principal officer. Moreover, in the Śākuntalam[34] IV, the word prakṛtivakra means crooked by nature. In the Mīmāṁsā, however, the word prakṛti- yāga is used in the sense of that yāga where all the subsidiaries of it are laid down. While Vikṛti-yāga is that sacrfice where all the subsidiaries are not laid down but only those angas that are absent in the prakṛti-yāga alone are mentioned. Again, the division of the Karma into Nitya, Naimittika and Kāmya is purely from the Mīmāṁsā point of view. And Kālidāsa makes a reference to this Kāmya Karma in the Raghuvaṁśa X.50. Here Mallinātha explains the expression as the putrakāmeṣṭi-yajña performed by Daśaratha in order that he should have some issues to continue the line of succession of his family. Moreover, in the works of Kālidā sa, we come across a reference to the technical term Samuccaya in the Kumārasaṁbhavam[36] I.49, Niyama in the Raghuvaṁśa[37] I.94, XV.74, Kumārasaṁbhavam I.60, V.86, Vikramorvaśīyam IIIrd Act, and Krama in the Raghuvaṁśa[38] XVI.17, II.24, XVII.68. The employment of so many terms exhibit Kālidāsa's knowledge of the Pūrva-Mīmāṁsā incidentally.

III. Sometimes, however, it appears that the principle of the famous Kaimutika Nyāya can be applied to the verses of Kālidasa. It is interesting to remember that the principle of this maxim can be applied to the Śākuntalam[39] Vth Act verse 22, and to the Vikramorvaśīyam[40] I.9.

IV. It appears from the verses of the Kumārasaṁbhavam and the Raghuvaṁśam that Kālidāsa had a perfect idea of the Mīmāṁsā technical term Upasaṁhāra[41] in which the scope of the general text is curtailed or set aside in favour of the particular statement. In the Mīmāṁsā, there is also another rule Sāmānya-Viśeṣa nyāya. Now I invite the attention of the readers to the Kumārasaṁbhavam[42] II.27 and also to the Raghuvaṁśa[43] XV.7, in which it is said that the scope of the general text is curtailed by the particular text, that is more powerful. In view of these two sentences, we can reasonably infer that Kālidāsa had some idea about the rule of Upasaṁhāra. It is interesting to note the comments of Hemādri and Vallabhācārya on this stanza.[44]

V. Moreover, in the works of Kālidāsa, we get ample references to the *Homa*, Iṣṭi and *Yajña*. References to these indicate that Kālidāsa was fully aware of the minute differences between the *Iṣṭi* and the *Yajña*. Besides, in the works of Kālidāsa, there are references to the sacrificial fires, preceptors and *satras*, and the oblations-offered in the sacrifice. In the Śākuntalam.[45] VII.34b, there is a reference to the word Yajña and a reference to the gods in the Śākuntalam[46] VII.27 as the enjoyers of the portion offered in the sacrifice. In the Kumārasaṁbhavam III.14, a similar reference occurs in the expression yajñamśabhujām. In the Mālavikāgnimitraṁ, there is a reference to the performance of the Aśvamedha sacrifice on the part of Puṣyamitra, the father of Agnimitra. Again, a reference to the word Viśvajit[47] sacrifice in the Raghuvaṁśa V.1 and VI.87. In the Śākuntalam Vth act there is a reference to the fire-sanctuary[48] of the King Duṣyanta. That the King Raghu had a fire-chamber is evident from the Raghuvaṁśa V.25, where he asks Kautsa to stay in his fire-chamber[49] for two or three days. The reference to the word *Iṣṭi* in the Sixth Act of the Śākuntalam shows that at the time of the performance of the *Iṣṭi*, there was a custom of slaughtering an animal. In the IVth Act of the Śākuntalam, Kaśyapa[51] asks Śakuntalā to circum-ambulate the sacrificial fires in which the oblations are thrown. Perhaps this refers to the three fires known as *Dakṣiṇā*, *Āhavanīya* and *Gārhapatya*. Again in the works of Kālidāsa, there are references to the *Satra*. *Satra* is a sacrificial session lasting for 7 days or more. In the Śākuntalam[5] II Act, there is a clear reference to the word

"*Satra*". Kālidāsa has used the word *Satra* loosely in the sense of a sacrifice here as the word *Satra* is connected with *abhaya*. This meant that the descendents of puru were consecreted in the sacrifice in the form of affording freedom from fear to the person in distress. In the Vikramorvaśiyam Vth Act there is a reference to the *Naimiṣeya satra*. A reference to this *Naimiṣeya*[53] *Satra* indicates that the King Pururavas performed sacrificial session known as the Naimiseya satra. In the name of the preceptor Somarāta[54] there is a reference to the *Soma* drink which is supposed to be drunk by the preceptors or priests. Hence the name *Somarāta* is also significant in view of the importance of the Institution of the Sacrifice during the days of Kālidāsa.

V. In the works of Kālidāsa, we get references to the sacrificial posts, sacrificial altars and also the sacrificial similes used by Kālidāsa to bring the point home to the readers. In the Śākuntalam IV.8, Kaśyapa makes a reference[55] to the Vedi. Vedi is a sacrificial altar narrow in the middle. In the Kumārasaṁbhavam[56] I.39, Kālidāsa, while describing the beauty of the limbs of Pārvatī, says that her waist was slender like that of the middle portion of a sacrificial altar. Moreover, there is a reference[57] to the word *Yūpa* i.e. a sacrificial post in the Kumārasaṁbhavam V.73. Here in this simile Siva in the form of a batu says that just as for the performance of the sacrifice any sacrificial post will not be useful (that post in a cemetary would not be useful,) and likewise a person wandering in the cemetary could not be a proper husband for Pārvatī.In this connection, Kālidāsa has made this reference to the sacrificial post. Besides, a reference to the killing of a beast at the time of a sacrifice occurs in the Śākuntalam[58] Vth Act.

VI. In the Kumārasaṁbhavam[59] III.12, Kālidāsa has made a reference to the view point of the Mīmāṁsakas. In this verse, Kālidāsa says that in the beginning of the Vedas, there is a *praṇava*. Secondly the Vedas are characterised by the accents and thirdly the Vedas lay down the sacrifices with heaven as a goal. It is the particular view point of the Mīmāṁsakas that the sacrifice has heaven as the unseen fruit. When the known fruit becomes available, the Mīmāṁsakas do not resort to the unknown fruit. Mallinātha in his comments on this verse says *Karmāsvargau Brahmaapavargaph* upalakṣaṇe. Here it seems that Mallinātha is a

follower of Jñānamrga and hence is not ready to regard the heaven as the highest reward, to which a man should aspire. The followers of the Uttara-Mīmāṁsā always treat heaven as a non- eternal entity and regard knowledge alone as the means of salvation. This is perhaps the important point where, it appears, Mallinātha differs from Kālidāsa. This particular verse from the Kumārasaṁbhavam is sufficient to prove my case that Kālidāsa was aware of the principal tenents of the Pūrva-Mīmāṁsā system.

VII. It is interesting to remember and quote the important observations made by Gajendragadkar[60] in his comments on the Kumārasaṁbhavam II.27, where he observes that from this verse, it is obvious that Kālidāsa has taken great pains in the Pūrva-Mīmāṁsā and Vyākarana (Grammar). In this respect, the view points of Hemādri and Vallabhācārya quoted above should be borne in mind. The introduction of such a rule of interpretation of the Pūrva Mīmāṁsā-in poetry is ingenious.

VIII. In the Śākuntalam[61] VIth Act, Kālidāsa makes a reference to the word Riktha, popular in the Dharma-Śāstra. The word Riktha means wealth or property. But in the Dharma-Śāstra and particularly in the Gautama- Dharma-Sūtra, the word Riktha is used by Gautama in connection with other words such as *kraya* and others and thereby indicates the means by which the ownership can be acquired by the person concerned. Here the word *Riktha* is understood as creating right of ownership in the successor after the extinction of the right of ownership of the previous owner. Is Kālidāsa referring here to the right of ownership arising as a result of mere birth of a child or the right of ownership arising as a result of the extinction of the previous owner's right? In this respect, one may refer to the interesting discussion on the word *Riktha* as it occurs in the Vyavahāra Mayūkha of Nīlakaṇṭha. Will it be too much to presume this discussion, in the mind of Kālidāsa while using the word riktha in the Śākuntalam? But we will be constrained to answer this question in the words of Kālidāsa "na Khalu Kaśchid dhīmatāmaviṣayo nāma."

In view of the above discussion, it is evident that Kālidāsa possessed a fair knowledge of the Pūrva-Mīmāṁsā system. The employment of the Pūrva-Mīmāṁsā technical terms, the application of the Maxims to some of his verses, clear reference to Jaimini,

explicit reference to the Mīmāṁsā rule of interpretation, ample references to the sacrifices, iṣṭis, oblations, sacrificial posts, sacrificial altars, sacrificial fires, and sacrificial sanctuaries, and the view-point of the well-known commentators on the works of Kālidāṣa help us to admit and appreciate Kālidāsa's acquaintance with Pūrva-Mīmāṁsā.

FOOT-NOTES

1. Vaitvasvato manurnāma mānanīyo manīṣiṇām/Raghuvaṁśam,I.14.
2. Ṛṣibhiḥ bahudhā gītaṁ chandobhiḥ vividhaiḥ pṛthak/Brahmasūtrapadaiścaiva hetumādbhirviniścitaih/Bhagvad-Gitā 13.4.
3. Upayuktasya ākīrnakarasya dravyasya vihitapradeśe prakṣepaḥ pratipattiḥ/ Yathā iḍābhakṣaṇam kṛṣṇaviṣannam/Mīmāṁsā-Nyāya-Prakāśa. p.40.
4. Vāgarthāviva sampṛktau vāgarthapratipattaye/Raghuvaṁśam,I.1.
5. Vayasya, Kā/pratipattiratra/ Mālavikāgnimitram.
6. Sāmānyapratipattipūrvakmiva dāreṣu dṛṣyā tvayā/ Śākuntalam IV.17.
7. Bhavatyaniṣṭāapi nama duhsahānmanasvininam pratipattiridrsi/ Kumāra-Saṁbhavam. V.42.
8. See IVth Act of the Mālavikāgnimitram.
9. Ajñatārtha Jñāpako vedabhago vidhiḥ/Arthasaṁgraha.
10. Anene pāṇau vidhivad gṛhīte/Raghuvamśam, VI.63.
11. Vidadhe vidhimasya naiṣṭhikam....Raghuvaṁśam, VIII.25.
12. Asamāptavidhiryato munistava vidvānapi tāpakāraṇam/Raghuvaṁśam, VIII.76.
13. Kārśyaṁ yena tyajati vidhijnā sa tvayaivopapādyaḥ/Meghadūtam. I.29.
14. Asyaḥ sargavidhau prajāpatirabhuccandro nu kāntipradaḥ/Vikramorvaśīyam, I.10.
15. Śeṣaṅganirmaṇavidhau etc. Kumarasambhavam, I.35.
16. Niyamavidhijalañāṁ barhiṣām copanetrī/Kumāra saṁbhavam, I.60.
17. Prāyaṇa sāmagryavidhau guṇānāṁ parāñmukhī viśvasṛjaḥ pravṛttiḥ/ Kumārasaṁbhavam, III.28.
18. Babhūva tasyāḥ kila pāraṇāvidhirna vṛkṣavṛitivyatirikta-
19. Sādhanaḥ/Kumārasaṁbhavam, V.22.
20. Nirvartayatu āryaputro majjanavidhim/Mālavikāgnimitram.
21. Ābharaṇasya api ābharaṇam prasādhanavidheḥ prasādhanaviśeṣaḥ/ Mālavikāgnimitram.
22. Pratyādiṣṭaviśeṣa-maṇḍana-vidhirvāmaprakoṣṭārpitam/Śākuntalam, VI.6.
23. Sakhīniyogo' pi vikalpyate/Śākuntalam, Act VII.
24. Raghuvaṁśam, V.14 for the use of niṣiddhya.
25. For the use of niṣiddha-Kumārasaṁbhavam, I.29.
26. Upalabhadhaṁ upalakṣaṇaṁ yena tasyāḥ kopanāyāḥ mārgo anumīyate/ Vikramorvaśiyam, Act IV.
27. Bhūtārthavadastat dhyānat tayoḥ avadhāranayoh hānat parityāgāt/History of Dharma-Śāstra Vol.V.
28. Vittasya vidyāparisaṁkhyayā me koṭīścatasro daśa cāhareti/Raghuvaṁśam, V.21.

29. Yadā sārvabhaumo rājā viśvajidādau sarvasvam dadāti/Jaiminiyā-Nyāya-Mlavīstara. P.358.
30. Mocaya anena durmocahastagraheṇa dimbhalīlayā bādhyamānaṁ bālamṛgendram/Śākuntalam, Act VII.
32. For the use of Prakṛti - see Meghadutam. I.6.
33. Jānāmi tvāṁ prakṛtipuruṣaṁ kāmarūpaṁ maghonaḥ/Meghadūtam, I.6.
34. Prakṛtivakraḥ saḥ kasya-anunayaṁ pratigṛhanāti/Śākuntalam, Act IV.
35. Yatra samagra-angopadeśaḥ sā prakṛtiḥ, yatra na samagra- angopadeśaḥ sā vikṛtiḥ/Arthasaṁgraha.
36. For the use of Samuccaya-see Kumārasaṁbhavam, I.49.
37. Āryaputra, alanghitapūrvo mayā niyamaḥ/Vikramorvaśīyam, Act III.
38. For the use of Krameṇa-See Raghuvaṁśam, II.24.
39. Śākuntalam, V.22.
40. Vikramorvaśīyam, I.9.
41. Apare tu upasaṁhāro nāma sāmānyataḥ prāptasya viśeṣe saṁkocanarūpo vidhervyāparaviśeṣaḥ/Rāmeśvara Bhikṣu on Arthasaṁgraha.
42. Apavādairivotsargāḥ kṛtavyāvṛttaḥ paraiḥ/ Kumārasaṁbhavam, II.27.
43. Apavāda ivotsargaṁ vyāvartayitumīśvaraḥ/Raghuvaṁśam, XV.7.
44. Apavādah viśeṣoktavidhiḥ utsargaṁ sāmānyavidhiṁ bādhyate/Vallabha on Raghuvaṁśam.
45. Tvayi vitatayajñaḥ vajriṇaṁ prīṇayasva/Śākuntalam, VII.34b.
46. Suṣuvé tad yajñabhāgeśvaram/Śākuntalam, VII.27.
47. Vetravati, agniśaraṇamārgaṁ ādeśaye/Śākuntalam, Act V.
49. For the use of fourth Agni – see Rahuvaṁśam, V.25.
50. Ahaṁyena istipaśumāraṁ māritaḥ saḥ anena svāgatena- abhinandyate/ Śākuntalam, Act VI.
51. Vatse, itaḥ sadyohutāgnīn pradakṣiṇīkuruṣva/Śākuntalam, Act IV.
52. Āpannābhayasatyreṣu dīkṣitāḥ khalu pauravāḥ/Śākuntalam, Act II.
53. Anyatra naimiśeyasatrāt aviyukto ahamurvaśyāḥ/Vikramorva- śīyam Act V.
54. Śākuntalam Act V for the use of Somarāta Upādhyāya.
55. Amī Vedīṁ paritaḥ kḷptadhiṣṇyāḥ/Śākuntalam, VI.8.
56. Madhyena sā vedi-vilagna-madhyā...Kumārasaṁbhavam, I.39.
57. Apekṣyate sādhujanena vaidikī smaśānaśūlasya na yūpasatkriyā/ Kumārasaṁbhavam, V.73.
58. Pasumāraṇakarma-dāruṇo, nukampāmṛdureva śrotriyaḥ/Śākuntalam, Act VI.
59. Karma yajñaḥ phalaṁ svargastāsaṁ tvām prabhavo girām/Kumāra-Saṁbhavam, III.
60. Anaya copamayā śāstraikasamadhigamyayā kavivaro'yaṁ pūrva- Mīmāṁsāyaṁ vyākaraṇe ca kṛtamahāpariśrama ityavagmyate/ Gajendragadkar's Sanskrit Comments on Kumārasaṁbhavaṁ, p.51.
61. Nanu garbhaḥ pitryaṁ rikthaṁ arhati/Śākuntalam, Act VI.

17

UPALAKṢAṆA IN THE MEGHADŪTAM

Upalakṣaṇa is a highly technical term in the Pūrva-Mīmāṁsā. It conveys the sense of inclusion or incorporation. In the Dharms-Śāstra literature, we find that the commentators of the Smṛtis and Dharma-Sūtras resort to the principle of Upalakṣaṇa in interpreting the passage before them. In resorting to the principle of Upalakṣaṇa, however, it is necessary that the textual authority is necessary to support the point of inclusion which is intended to be stressed by the author or the commentator. Mādhāvācārya in his commentary[1] on the Parāśara-Smṛti and Nīlakaṇṭha[2] in the course of his discussion in the twelve-Mayūkhas resort to the technical use of this term and support it by the textual smṛti authority. When, however, the smṛti authority is not available, they try to blame the concerned author and reject[3] the upalakṣaṇa suggested by him.

The question often arises whether in interpreting the poetry portion, Upalakṣaṇa is of any use or not. In this very context, it may be pointed out that the Ṛg-Veda is looked upon by some scholars as a case of good poetry, indicating the origins of the later Sanskrit poetics. Even Sāyaṇācārya[4] the celebrated commentator of the Ṛg-Veda, has made the use of this technical term to interpret the Ṛg-Vedic mantras.

In the light of this background, an attempt is made in the present paper, to study the cases of Upalakṣaṇa in the Meghadūtam

of Kālidāsa, only with the help of the published commentaries on the Meghadūtam. Incidentally, however, an attempt is also made to compare these commentators or their treatment with the regular Dharma-Śāstra authors only to show the originality on the part of the commentators of the Meghadūtam in that respect.

Here the commentaries of Bharatamallika, Kṛṣṇapati, Ṛṣiputra Parameśvara, Mallinātha and Pūrṇa-Sarasvatī are utilised for the present purpose of the term Upalakṣaṇa.

At the very outset it may be remarked that the commentary Subodha of Bharata-Mallika is practically of no use to the readers to locate the principle of Upalakṣaṇa in the Meghadūtam.

Kṛṣṇapati is the celebrated commentator of the Meghadūtam. He flourished in 1720 A.D. particularly in the Mithila, as decided by Dr. Gopikamohan Bhattacarya. In his commentary on the st. 13 of the Meghadūtam, he has employed the Mīmāṁsā term Upalaksaṇa. Here Yakṣa is giving directions to a cloud in respect of the path to be followed by a cloud to reach Alakā city. In this stanza, the expression 'mārgam' occurs. Kṛṣṇapati points out that this expression[5] 'mārgam' is illustrative and makes the inclusion of the house of Yakṣa in the city Alakā, description of the wife of Yakṣa etc. Which will be told in the Uttara-Meghadūtam. Here it may be remarked that in resorting to this technique of Upalakṣaṇa, Kṛṣṇapati has no textual authority as such which is generally expected by the writers on Dharma- Śāstra. Here one would be convinced only if one reads the complete Meghadūtam of Kālidāsa that the way in which Kṛṣṇapati has resorted to the technique of Upalakṣaṇa is just proper because Yakṣa himself has given proper descriptions of these topics in the Uttara-Megha for the guidance to the cloud. Hence even though no textual authority is available in the present case, however, one is tempted to observe that Kṛṣṇapati's resorting to the term 'Upalakṣaṇa' is fully justified. In passing, it may be observed here that the other commentators who have also used the Mīmāṁsā technique Upalakṣaṇa, pass over this important place in silence. Herein lies the novelty of the commentator Kṛṣṇapati.

Ṛṣiputra Parameśvara is another commentator of the Meghadūtam. He has written a commentary entitled Sumanoramaṇī on the Meghadūtam. He appears to have flourished in the 14th or

15 century A.D., since he has quoted and criticised Pūrṇa-Sarasvatī. It is only at one place that the commentator Ṛṣiputra-Parameśvara has utilised the principle of Upalakṣaṇa to interpret the Meghadūtam. This place is the stanza No. 33 of the Pūrva-Meghadūtam. Here Yakṣa is asking a cloud to appreciate the scent of the river Gandhavatī on account of the pollen of the lotuses fallen in it. Ṛṣiputra Parameśvara in his comments[6] here on the expression kuvalaya (of Kālidāsa's Meghadūtam) remarks that this expression is illustrative and makes the inclusion of other flowers that also become available in the water. Here one is tempted to observe that the use of Upalakṣaṇa in the present case is a case of observation on the part of the commentator Ṛṣiputra Parameśvara.

We have one more example of Upalakṣaṇa in the commentary of Ṛṣiputra Parameśvara. Here the place for the discussion is in the Meghadūtam-Pūrva- Megha-St. No. 55. Here Yakṣa is pointing out to a cloud the benefits the devotees get at the sight of the foot-prints of the Lord-Śiva. Here the expression used by the poet Kālidāsa is Uddhūtapāpāḥ'. Ṛṣiputa Paramuśvara in this comments on the expression pāpāḥ' here suggests that this is a good case of Upalakṣaṇa. He, hereby, suggests[7] that by the sight of the foot-prints of the lord Śiva, not only the sins are destroyed, but the actions that are performed by the human beings with particular desires in their mind, are also destroyed. Here the additional fruit of the destruction of Kāmya actions is indicated by the commentator Ṛṣiputra Parameśvara. It must be remarked here that this type of interpretation is no doubt ingenious; but the real point is that by the term Upalakṣaṇa, the inclusion of those things is generally made, which have got resemblance with the things that are mentioned. Here, however, we observe that the destructions of the Kāmya actions at the sight of the foot-prints of the Lord-Śiva, cannot be regarded as a case of similarity of the Kāmya-actions with the sins. Hence this may be regarded as a typical case of Upalakṣaṇa at the hands of the commentator Ṛṣiputra Parameśvara. Had he made the inclusion of the sins that are done by the persons rather unknowingly by the sins or that are done knowingly, that would have appeared more charming and perhaps in keeping with the spirit of the Indian philosophy.

Now if we turn our mind to the commentary Viddyullatā of Pūrṇa-sarasvatī, who is said to have flourished in the 14th century A.D., we get two more cases of Upalakṣaṇa, in the Meghadūtam. Here the place for this discussion is the stanza No.13 of the Meghadūtam. In this stanza, a cloud is asked to drink light water of the river and then to proceed further for his journery. We have already seen that Kṛṣṇapati has located the principle of Upalakṣaṇa on the expression 'mārgam' that occurs in the former part of the stanza. But Kṛṣṇapati's stand-point is not before the mental eye of Pūrṇa- sarasvatī. He locates the principle of Upalakṣaṇa in the latter part of the stanza and particularly on the expression[8] 'parilaghupayaḥ' of the gifted poet. He, thereby, includes other qualities of the water of the river. The water is not only light but it is also sweet and extremely clear. One is always tempted to drink the water, provided it is clear and particularly free from dust as such. Here it must be remarked that Pūrna-Sarasvatī has given emphasis on these qualities of taste and has thereby made the inclusion of the qualities of sweetness and extreme clarity of the water in addition to its light nature.

We get one more example of Upalakṣaṇa in the stanza No.33 of the Meghadūtam. We have seen above that in this very stanza, Ṛṣiputra Parameśvara has laid emphasis on the expression kuvalaya in the stanza. So far as Pūrṇasarasvatī is concerned, he has shifted the emphasis from kuvalaya to the expression 'snāna' which occurs in the fourth line of the stanza. Here Pūrṇasarasvatī thinks that the expression[9] snāna not only refers to water but it also makes the inclusion of the other fragrant substances in the river Gandhavatī, making the name of the river more significant. What Pūrṇasarasvatī means to say is that the fragrant water of the river Gandhavatī is made more fragrant by the other fragrant substances thrown in the river.

We have one more example of Upalakṣaṇa from the pen of Pūrṇasarasvatī. Here place for locating the Upalakṣaṇa is the stanza No.16 of the Pūrva-Megha. Yakṣa is pointing out a cloud the reaction of the ladies in the village looking at the cloud intently but without being aware of the modifications or changes in the movement of the eye-brows. Here Pūrṇa-Sarasvatī has concentrated his mind on the expression 'Bhrūvilāsa or bhrūvikāra'. He thereby makes the inclusion[10] of the other vilāsas of the eyes of the ladies.

Looking at the cloud by the different turns of eyes on the part of the village ladies is indicated here by Pūrṇa-Sarasvatī.

Mallinātha, the celebrated commentator of the five great Kāvyas, has also one more case to his credit from the Uttara-Megha. Mallinātha is treated as flourished towards the end of the 14th century A.D. Here Mallinātha has pointed out the case of Upalakṣaṇa in the Stanza No. 11 of the Uttara-Megh. It must be noted here that Dr. S.K. De in his critical edition of the Meghadūtam, brought out by the Sahitya Academy, Delhi, has not at all accepted this stanza as a genuine part of the Meghadūtam. Mallinātha is commenting[11] on the expression 'lākṣāragam' in this stanza. What he means to say is that the ladies in the city Alakā, decorate their feet not with the lākṣāraga, but they make the inclusion of other cosmetics to decorate their feet. It is only in this way, that Mallinātha has suggested Upalakṣaṇa in this stanza.

From the foregoing discussion, it is evident that the commentators of the Meghadūtam, employ the term Upalakṣaṇa in interpreting the Kāvya portion, particularly by their skill of observation, experience, complete study of the Kāvya, and do not care for any textual authority which is the special feature of the writers on Dharma-Śāstra in employing this term. Hence the novelty of the commentators lies only in those new aspects in the use of the term Upalakṣaṇa, though these aspects have no place in the scientific literature.

FOOT-NOTES

1. Parāśara-Mādhava-Vol.II pp.139, 114 and 29 and Vol.III.pp.225,233.
2. Nīlakaṇṭha's Vyavahāra-Mayūkha p.50 Saṁskāra Mayūkha p.71.
3. Nīlakaṇṭha rejects the case of Upalakṣaṇa in the Dāna- Mayūkha p.128.
4. Sāyaṇa on Ṛg-Veda for Upalakṣaṇa- VII.75.7, VII.99.2 and VII.104.15.
5. Mārgakathanaṁ ity upalakṣaṇaṁ, purāgṛham, gṛhiṇikṣanasya api Vakṣyamāṇatvāt/ Kṛṣṇapati on Meghadūtam p.11.
6. Kuvalayaśabdo jalakusumamātropalakṣaṇam/Ṛṣiputra Parameśvara's Sumanoramaṇi p.84 (published in the Journal of the Oriental Research Institute and Manuscripts Library, Kerala).
7. Pāpaśabdaḥ kāmyakarmaṇāṁ upalakṣaṇam/Sumanoramaṇi on Meghadūtam.
8. Upalakṣaṇaṁ caitat-mādhurya-nairmālyayoḥ/Vidyullatā p.26.
9. Snanām ity snānopakaraṇabhūtagandha-dravyopalakṣaṇaṁ/Vidyullatā on Meghadūtam p.52.
10. Upalakṣaṇaṁ ca etad anyeṣāmapi nayanavilāsānām/Vidyullatā p.30.
11. Cf:- Mallinātha's sanjīvinī on Meghadūtam p.50.

18

A NOTE ON PROFESSOR H.D. VELANKAR'S 'WORD ECONOMY AND ṚGVEDIC INTERPRETATION'

Professor H.D. Velankar has published an article 'Word Economy and Ṛgvedic Interpretation' in ABORI Vol. 45 (1964), pp.1-18. It indicates different devices used by the Vedic poets to achieve brevity or word-economy. I have thoroughly read this article and have to make the following observations in this respect.

If the *Pūrva-Mīmāṁsā* is accepted, as a science of interpretation, then it would be interesting to see whether the word-economy, so ably advocated by Professor Velankar, satisfies the conditions of interpretation laid down by the science of *Pūrva-Mīmāṁsā* or not. The importance of the *Pūrva-Mīmāṁsā* as a science of interpretation is supreme and there is not a single branch of Sanskrit learning which is not influenced by this science.

In this context, it is worthwhile to point that even Sāyaṇācārya, the celebrated commentator of the Ṛgveda, has made judicious use of the Mīmāṁsā doctrines[1] in interpreting the Ṛgvidic Mantras. A good student of Alaṁkāra- Śāstra will not fail to remember that Bhoja, the author of the *Sṛṅgāra-Prakāśa* has illustrated from the Ṛgvedic passages the Mīmāṁsā doctrines,[2] particularly in the first

chapter. In the light of this background, it would not be unfair on our part to see whether the word-economy satisfies the requirements of the science of interpretation or not. In this respect, I would like to deal with the points in the above article, in the order in which they are so introduced by Prof. Velankar.

I. According to Prof. Velankar, a simple unaccented vocative stands both for itself and the nominative case and in support of this, he draws our attention to the Ṛgveda.I. 15.2; VI.51.15; VIII7.12; I.76.4; II.1.3 and II.1.5. In these cases, another reason of the permanent association of the attribute with the addressee is given for resorting to word-economy. (1) Here it may be pointed out that the idea of an unaccented vocative also standing for the nominative case is a case of *kalpanā*[3]- *gaurava* which results on account of unnecessary multiplication of presumption. (2) It may be pointed out that the attribute *sudānavaḥ* becomes the attribute of many gods like Maruts, Indra, Rudra and Ādityas as is clear from the passages cited in the article. If one simply consults the *Vedic Concordance* of Bloomfield, one will come to know that the attribute *sudānavaḥ* is attributed not only to the above-mentioned gods but also to the other gods. (3) It must be remembered here that the attribute *sudānavaḥ* is not the distinctive quality of a particular god so as to make the same the permanent attribute of a deity. A permanent, exclusively distinctive quality of a particularly god alone deserves to be permanent attribute of that god. As this is not the case in the above cited examples, the argument of the permanent attribute of the addressee does not appear to be sound and convincing.

II. In the category of word-economy, it is pointed out by Prof. Velankar that when the vocative consists of two or more words i.e. itself and its associate which is either an adjective or a word in the oblique case, this associate is sometimes accented to indicate that the vacative stands both for itself and the nominative, the purpose being the same as in the first category discussed above. Here it may be noted that whatever are the grounds set forth above in respect of the first category squarely hold good in this case also. Hence it is not necessary to advance any further grounds in respect of the illustrations cited by the learned professor.

III. Here Prof. Velankar has shown the word-economy on the strength of unaccented vocative standing for itself and also in an accented form with the nominative case. For illustrating the truth of this theory he draws attention to the *Ṛgveda* III.9.6; X.150.1 etc. (1) Here also it may be respectfully pointed out that treating an actually unaccented word in the vocative case as also standing for the accented nominative case becomes a case of *gaurava*[4] and not of *lāghava*. (2) This interpretation also suffers from the fault[5] of *aśrutakalpanā*. The students of *Pūrva-Mīmāṁsā* know very well that *aśrutakalpaṇā* is one of the faults in the case of *parisaṁkhyā*. (3) The word-economy in order to be acceptable should be free from the faults which are generally treated as faults in the science of *Pūrva-Mīmāṁsā*. In the present category of word-economy, the interpretation suffers from the two faults of *kalpanā-gaurava* and *aśrutakalpanā*.

IV. For resorting to the principle of word-economy, Prof. Velankar has shown that one case form of a word also stands for another case and he has quoted from the Ṛgveda I.62.9; I.27.2; IV.16.7; I.116.11; and I.70.1 etc. Here it may be significantly pointed out that the learned professor has used the principle of *vyatyayo bahulam* of Pāṇini's *Aṣṭādhyāyī* III. 1.85. The attention of the serious students of Veda and Vyākaraṇa may be drawn to the important observation of Prof. G.V. Devasthali[6] that the promiscuous use of the words following the principle of Pāṇini's' *Aṣṭādhyāyī* III.1.85 on the part of Sāyaṇa is not a happy one and has played havoc. 'Here it may be easily seen that a wide licence is likely to be got by the interpreter to interpret any inflected expression as representing any case'. Sāyaṇa's explanations, according to Prof. G.V. Devasthali, are merely fanciful if not also absured. Whatever difficulties[7] are pointed out by Prof. Devasthali, in accepting Pāṇini as an aid to the Ṛg-Vedic interpretation, can be easily transferred to the case of word-economy on the ground of promiscuous use of one case for another case suggested by Prof. Velankar. Hence this category of word-economy cannot be accepted wholeheartedly. (2) The acceptance of the principle of *vyatyaya* leads to the fault of *kalpanā-gaurava* and not of *lāghava*.

V. Prof. Velankar has shown that the word-economy is possible in the use of an *upamāna* or its associates also serving the purpose

of the *upameya* or the common term in a simile. For the elucidation of this point, the following passages from the *Ṛgveda* V,36.2; X.127.3; VII.22.1; IX,96.7; I.71.7 and I.71.10 are referred to here (1) Some difficulties may be pointed out in this respect. *Ṛgveda* I.71.10 appears to be torn out of context. Actually the learned professor should have shown how the principle advocated by him becomes applicable to the complete Ṛk quoted here. As he has not applied the above principle to the complete Ṛk, this principle and illustration create difficulties in accepting the same. (2) In ṚV I.71.1, Prof. Velankar understands the word *janayaḥ*, first in the sense of ladies and secondly in the sense of 'fingers of the kindlers' on the strength of the RV. III. 26.3 and IX.22.3. In interpreting the Ṛk in this way, there are two difficulties. In the RV I. 71.1, the expression *svasarah* occurs in the second line. Sāyaṇacārya understands this as *angulināma*. If the RV I.71. 1a is read with RV I.71.1b, then it would create difficulties for the learned professor to interpret the word *janayaḥ* in the sense of 'fingers of the kindlers' in this Rk. Moreover, to understand one and the same word *janayaḥ* in two different senses becomes a case of Vṛttidvayavirodha or Vākyabheda.[8] Prof. G.V. Devasthali has already pointed in his published thesis[9] for the Doctorate Degree on 'Mīmāṁsā, the Vākya-Śāstra in Ancient India' that 'When one and the same word or sentence occurring once only is made to yield more *arthas* than one with reference two different persons or situations, we are sure to fall a prey to Vākyabheda.' The learned Prof. Devasthali further points out other illustrations of Vākyabheda and in respect of two illustrations remarks[10] that 'while the two *arthas* in the former are spoken of in one pāda, in the latter they are couched in separate pādas. It is interesting to read the examples giving rise to the fault of Vākyabheda.' In addition to this, Medhātithi in the comments[11] on the *Manu-smṛti* II.32 points out a case of Vākyabheda and remarks that this becomes a case of *gaurava*. Besides, the above mode of interpretation goes against the import of the Paribhāṣā[12] No .15 of *Paribhāṣenduśekhara* of Nāgeśa. Over and above, to understand one and the same word occurring only once, in two different senses leads to the fault of Vṛttidvayavirodha. Here the readers of Dharma- Śāstra will remember very well that Nīlakaṇṭha in his *Vyavahāra-Mayūkha*[13] has found fault with Vijñāneśvara

who, while interpreting the *Yājñavalkya-smṛti* II.135-136, understands the word bhrātā both as 'full-brother and half-brother'. It is pertinent to note here that even Śankarācārya[14] avoids the fault of Vṛttidvayavirodha and Vākyabheda in interpreting the Vedānta literature. In the modern courts too, the Mīmāṁsā principle of understanding one and the same word only in one sense is favoured[15] by Judges as noted by MM. Dr. P.V. Kane in his translation to the *Vyavahāra-Mayūkha*. In the light of these grounds, it becomes difficult to accept the word-economy proposed by the learned professor.

VI. Professor Velankar has also shown that the word-economy arises when a word or an expression simultaneously serves the purpose of two consecutive sentences. Here he has made the use of the principle of Dehāli-dīpaka nyāya. He has also quoted illustrations from the ṚV.IV.17.4, VI.16.40; I.70.3 etc. 1) Here it may be pointed out that imaginating the presence of one and the same word twice in a Ṛk or a stanza is a clear case of *gaurava* and not *lāghava*, taking into consideration sactity of the Vedic text. 2) This principle is to be resorted to only on the strength of the textual authority. Nīlakaṇṭha, in his *Vyavahāra-Mayūkha*,[16] has also utilised this principle with good caution .3) The use of the principle of this Nyāya is treated as a case of *gaurava* by Govinda in his commentary *Pīyūṣadhārā*[17] on the *Muhurta-Cintāmaṇi*, particularly when it is without the support of any textual authority (4) If, however, it is held that in the ṚVI.71. 4ab as quoted by Prof. Velankar, the two different situations i.e. Matarisvan's churning out the fire and the fire being carried from one house to another house by the worshippers - are described, then this becomes a case of Vākyabheda as pointed out by Prof. Devasthali or in the commentary of Vaidyanātha Tatsat[18] on the *Kāvyapradīpa* of Govinda Ṭhakkur on the *Kāvyaprakāśa* of Mammaṭabhaṭṭa. (5) In addition to this, as understood by Prof. Velankar, if the word *mātaiśvan* in the ṚV I.71.4 ab refers to both the priest and the fire, then it incurs the fault of Vṛttidvaya-virodha which also should be avoided by a good student of *Pūrva-Mīmāṁsā*. 6) If, in the ṚV I.70.3, the verb *dāśat* is construed twice, in the chief clause and also in the subordinate clause, then it gives rise to the fault of Vākyabheda as pointed out by Medhātithi.19.

VII. Prof. Velankar holds that word-economy is possible if a word is employed to convey two different meanings in one and the same sentence.. For the clarification of this category of word-economy, he has quoted from the ṚV VIII. 20.14 and IX. 97.30. (1) In the case of both these illustrations, it may be pointed out that the lines chosen for word-economy are torn out of context. Actually he should have shown how the suggested method is applicable to the complete Ṛk. As he has not done that, the method has become slighly unconvincing. (2) Sāyaṇa does not experience any difficulty in interpreting the above cases. (3) If the word *na* in the ṚV IX.97.30 is understood as having two senses, one negative and the other in another the sense of 'like', then this mode of interpretation suffers from the fault of Vṛttidvaya-virodha.[20]

VIII. Here also Prof. Velankar takes expression *avayatam* in two different senses-once in the sense of attack of the gods like Maruts and other to punish the worshipper and once in the sense of 'warding off the punishment which is impending', when applied to Agni. This mode of connecting the expression *avayatam* twice suffers from the fault of Vākyabheda[21] in which two different situations are imagined and this fault of Vākyabheda gives rise to *gaurava*. Besides, it also gives rise to *kalpanā-gaurava*. (2) In respect of the case of the ṚVI.94.12a it is possible to suggest that if the ṚV I.94.12a is read with I.94.12b, then there would be no difficulty and one would not be required to presume or assume much.

In this context, it would be proper to note the observation of Śabara on gaurava, that it leads to a roundabout way of interpretation and is not to be adopted as far as possible. He further holds that it is not that by gaurava it is not possible to interpret any text; but as far as possible, it is not to be resorted to. To clarify this point further Śabara gives a practical example[22]. If one has to go to a village one can go either by a straight way or one can go through the pasture lands. This latter path involves a lot of difficulties and is also full of thorns. Hence Śabara prefers a direct path to the roundabout way.

For the clarification of the idea of *Vākyabheda*[23] and *Gaurava*[24], it is necessary to draw the attention of the readers to the commentary *Prabhā*[25] of MM. Vasudevashastri Abhyankar on

the *Mīmāṁsā-Nyāya-Prakāśa* of Āpadeva. Here MM. Vasudevashastri Abhyankar has explained the two types of Vākyabheda- Khaṇḍalakṣaṇa and Gauravalakṣaṇa. Śankarabhaṭṭa (1540 A.D. to 1600 A.D.) has also pointed out several varieties[25] of Vākyabheda in his *Mīmāṁsā-Bāla-Prakāśa*. As Vākyabheda results into the fault of *gaurava*, the knowledge of this technical term is absolutely necessary to understand the above discussion.

In conclusion, one will have to admit that Professor Velankar's attempt at introducing the new interpretation of some of the Ṛgvedic passages is no doubt ingenious, but it does not appear to be sound and convincing in the light of the Mīmāṁsā position of interpretation, grammatical difficulties, the stand-point of the well-known writers on Dharma-śāstra, Vedānta, and Alankāra Śāstra and also the fresh views taken by the judges in modern courts.

FOOT-NOTES

1. Vākyabheda on RV. II.193; Punarvacana on RV. V.41.17 V.67.5 VI.1.3; VII.1.7 etc. Anuvada on RV. II.11.7; Anuṣaṅga on RV. VII.32.21; Samuccaya on RV. I.19.16; I.98,31, I.166.12 etc. Upalakṣaṇa on RV. VII.75.7; VII.99.2; VII.104.15. Also he has used Mīmāṁs Sūtras.
2. Śṛṅgāra-Prakāśa (Mysore edition) pp.9, 10, 11, 12, etc.
3. Nānātvakalpanaṁ eva gauravam/Bhaṭṭācārya on Sahītya-Darpaṇa p.36.
4. Evaṁ ca....adhika-kalpanaja-gaurvaṁ....Nāgeśa on Rasagangādhara P.11 (Nirṇaya Sagara edition, Bombay).
5. Śrutahāniḥ, aśurtakalpanā, and prāptā-bādha, three defects of parisaṁkhyā.
6. G.V. Devasthali 'Pāṇini as an aid to Ṛgvedic Interpretation pp.22-23 in H.D. Velankar Commemoration Volume.
7. For promiscuous use of accents. 16 ibid. p. 24.
8. Na hy ekasmin prakaraṇe ekasmin vakye vavakye ekaḥ śabdaḥ sakṛt-uccarito bahubhiḥ saṁbadhyamānaḥ kvacit mukhyaś kvacit gauṇaḥ iti adhyavasātum sakyam/vaḥiruprya-prasaṅgāt/Śānkarabhāṣya on Brahma-Sūtras II.4.3; Śabara on Jaimini...Pūrva Mīmāṁsā Sūtra I.4.8 and VIII.4.22.
9. Sakṛt-uccārane ubhaśakti-virodhāt-vākyam bhidyeta-Śabara on Jaimini's' Pūrva-Mīmāṁsā Sūtra VI.1.5. (Also thesis p.221)/
10. Ibid. p.219
11. Vākyabhede hy dvirākhyata-uccarāṇam/tad guru bhavati/Medhātithi on Manu-Smṛti II.32.
12. Gauṇa-Mukhyayoḥ mukhye kārya-saṁpratyayaḥ/
13. P.V. Kane - Vyavahāra-Mayūkha p. 142.
14. On Vedānta Sūtra II.3.3; Śabara on Jaimini's Pūrva-Mīmāṁsā Sūtras VII.3.22 and IX.4.8.
15. Also see-6 Cal.119,126 (F.B.); 41 I.A.p.290 at 303-304.

16. Vyavahāra-Mayūkha p.149.

17. Na ca ubhayatra api āsaptarātrāditi saṁbandhaḥ iti-vācyam/Gauravāpatteḥ/ Pīyusādhāra p.396.

18. Vṛttānta-dvaya-prādhānye hi vākyabhedaḥ syāt/ Vaidyanādtha Tatsat on Kāvyapradīpa p.140.

19. Vākyabhede hi dvih-akhyāta-uccarāṇam/Medhātithi on Manu- Smṛti II.32.

20. Also read:- Sakṛt śrutah śabdaḥ tam eva artham gamayati/ and Dāyabhāga III.29-30; Madanapārijāta p.369 quoted in History of Dharma- Śastra Vol.V., part 2, p.1350.

21. Jayaratha on Alaṁkāra-Sarvasva introduces Śābda and Ārtha varieties of Vākyabheda p.39.

22. Na gauravasya kiṁcit sādhu prayojanam/Na tu gauravena yat kṛtam, tat na kṛtam bhavati/ Gauravasya·tu·doṣo asti/yathā yaḥ Parisarheṇa grāmaṁ gacchati, parihāradoṣam asa prapnoti na tu grāma-gamanam na bhanati/ Śabara on Jamini's Pūrva-Mīmāṁsā Sūtra X.7, 9.30 and Mīmāṁsā-Koṣa Vol.III. p.1623.

23. Evaṁ ca uddeśya-aikye vidheya-dvaye ca vākyabhedaḥ/Vidheya aikye uddeśya-dvaye ca vākyabhedaḥ/Prabhā p.233.

24. For Gaurava, see Prabhā pp.19, 42, 54, 55, 57, 58 and 114.

25. For Vākyabheda based on Vairūpya, see Mīmāṁsā-Bāla-Prakāśa, p.181.

19

ŚANKARĀCĀRYA'S APPROACH TO ARTHAVĀDA

The study of Śankārācārya's Bhāṣya on Bādarāyaṇa's Brahmasūtras (B.S.) is made by the scholars purely from the point of view of Advaita philosophy. But the real study of his Bhāṣya can not be said to be complete without the knowledge of Pūrva-Mīmāṁsā. The present author has made such an attempt else[1]-where; but in the present paper, however, a close study of the use of the Mīmāṁsā concept of Arthavāda in his Bhāṣya is undertaken, perhaps for the first time, to bring to light his original views in respect of this highly technical term, particularly against the solid background of the Science of Pūrva-Mīmāṁsā so ably prepared by the grandmasters of Pūrva- Mīmāṁsā like Śabara and Kumārila. Incidentally an attempt is made here to highlight the importance of the view point of the great Ācarya, indicating how his solid contribution to the subject proper has escaped the eagle eye of Kevalānanda Sarasvatī, the learned editor of the Mīmāṁsā-Kośa.

The grand masters like Śabara and Kumārila do not use the mimamsa technical term Arthavāda as an independent authority. The Arthavāda passages become more effective[2] and efficacious particularly when they are connected with the Vidhi Vākyas (injunctive sentences); independently these passages do not convey any coherent sense as such. Against this background of the great Mīmāṁsakas, Śankarācārya appears to have made the use of this

technical term as an independent authority. This position of the great Ācārya becomes abundantly clear even to a casual reader of his Bhaṣya on the Brahma-Sūtras II.1.5 and II.1.25. In his Bhaṣya on B.S. II.1.5, the great Ācārya quotes the passages from the Bṛhadāraṇyakopaniṣad and Kauśītakī Upaniṣad II.14 to prove that the sense-organs and five great elements appear to be sentiment in this world, only because their entire working is governed by the superintending deities. (Abhimānī devatās). He further adds that even from the Mantra portion, Arthavāda[3] passages, history and Purāṇas, we come to know that the superintending deities are connected with the functions of the sense organs and five great lements. It is further interesting to remember that the great Ācārya l oks upon the passages from the Aitareya Āraṇyaka II.4.2.4 and B hadāraṇyakopanisad VI.1.13 as serving his purpose. Further, in his Bl āṣya on B.S. II.1.25, he again uses the authority of the Mantra por ion, Arthavāda[4] passages and others to prove that Brahma does not depend upon external factors for producing this world as is the case with a pot-maker. He gives addition to this thought by pointing out that gods, sages and dead ancestors possess extraordinary power or they are endowed with tremendous mental power on account of which they appear to produce anything in the world without at the same time, depending upon external factors as such. In passing, one is tempted to remark that this novel use of the Arthavāda passages and concept has not escaped the notice[5] of Dr. S.K. Belvakar.

Generally the fruit for any injunctive sentence becomes known from the Vidhi sentence. But when, however, such a fruit is not possibly available to the readers, one has to depend upon the glorificatory passages in that respect. This is the generally accepted stand point of the Mīmāṁsakas. Śankarācārya in his Bhāṣya on Brahma-Sūtra III.3.38 quotes passages from the Bṛhadāraṇyakopaniṣad to prove that one who has realised the 'Satyavidyā' gets the two fruits[6]—he conquers these worlds and he destroys sins and also abandons the same. It should be remembered here that no direct fruit becomes available to us from the place where there is an injunctive sentence in relation to Satyavidyā. It becomes known to us from the passages of the Bṛhadāraṇyakopaniṣad. Now the Ācārya points[7] out that if many fruits become available to us in the glorifactory sentences, then all

of them are to be connected with only one injunctive sentence. In the present case of Satyavidyā, however, no fruit becomes available to us from the Vidhi vakya. Had the two fruits become available to us from the two different injunctive sentences, then it would have become possible for us to imagine the existence of two different Satyavidyās. But this is not the position in the present case. Hence we have to accept that the Satyavidyā is only one and two different fruits are available to us from the glorificatory sentences and they are to be connected with only one Vidhi-Vākya. One may, in this very context, remember that there is another Mīmāṁsā-rule Aṅge Phalaśrutiḥ arthavādaḥ/ clearly indicating that when any fruit is laid down for any subsidiary act, it becomes a case of glorification. And naturally, such passages are not to be interpreted literally. Here one may accept this stand-point of the great Ācārya, only after remembering another Mīmāṁsā-rule 'Rātrisatra nyāya' referred to in Jaimini's Pūrva-Mīmāṁsā Sūtra IV.3.17. and explained by the present author[8] elsewhere. This rule must have been at the back of the mind of the great Ācārya, when he resorted to this particular position.

For the proper position of Arthavāda in the Vedānta discussion, one will have to study his Bhāṣya on Brahma Sūtras I.3.26 to 33. Particularly on B.S. I.3.33, the great Ācārya has clarified his position in respect of Arthavāda quite clear to his reader. In this context, he significantly points out that the glorificatory passage is to be treated as authoritative when the sense conveyed by it is proved by our rich experience. Secondly, he adds that when the rich experience goes against the glorificatory sentence, then the glorificatory sentence serves its purpose by pointing out a particular property of a thing or material. Thirdly, the glorificatory passage becomes authoritative when the sense conveyed by it is not proved by any experience or it is also not contradicted by our experience. In such a case, the glorificatory sentence is to be treated as authoritative in respect of its own sense. The Arthavāda Vākya also helps us to infer that a particular incident has taken place. It thus refers to an accomplished act. In his Bhāṣya on B.S. I.3.33, he quotes a Mantra[9] and also a passage[10] from the Ṣaḍviṁśa Brāhmaṇa I.1 to show that Indra took[11] the birth of a goat and took away Medhātithi, the off-spring of Kaṇva. He simply remarks that as gods are endowed

with special power, they can assume any form to get their purpose served. He also takes another example 'Indra ha vai devānāmabhipravavraja virocanosuranam to show that the present passage is to be looked upon as a case of Anuvāda and not of Gu ṇavāda. Anuvāda is also a variety of Arthavāda, particularly when it refers to an accomplished act. Incidentally, one may draw the attention to his Bhāṣya on B.S. III.3.32 and the fact that after giving up the mortal frame, even a brahmavid gets another formal frame. This is evident from the cases of Vasiṣṭha, Bhṛgu and others. In passing, one may note that Guṇavāda is also a variety of Arthavāda, when the import of the glorificatory sentence comes in direct conflict with the daily experience of human beings. It may be noted here that Śankarācārya looks upon the Arthavāda[12] passages not contradicted by any experience as cases of Anuvāda and nót of Guṇavāda and this is in perfect harmony with the approach of the Mīmāṁsakas.

The question often arises as to what kind of passages are to be treated as injunctive passages and what are to be treated as glorificatory passages. In this context, the attention may be drawn to the discussion on B.S. III.4.2. Here the great Ācārya has quoted the sentence. Yasya parṇamayī juhū bhavati na sa pāpaṁ ślokaṁ śṛṇoti/etc. The view point of the prima facie in this respect is that such passages are to be treated as injunctive sentences. But Śankarācāra points out categorically that such passages are to be treatcd as purely glorificaory and not injunctive, because they aim at glorifying the act rather than laying down the act. In this context it should be remembered that in the above quoted passages, the verbs are used in the present tense and not in the potential[13] tense as is generally the case with the Vidhi Vākyas. One is very happy to observe that this decision of the great Ācārya had its basis of Jaimini's Pūrva-Mīmāṁsā IV.3.1. A careful reader of the Mīmāṁsā literature will not fail to bring to light here the interesting observation[14] made by MM. Dr. Ganganath Jha in his Mīmāṁsā-Maṇḍana on Jaimini's Pūrva-Mīmāṁsā. From the above discussion, one would legitimately infer that the passages in which verbs are used only in the potential tenses, they alone are to be accepted as Vidhi-Vākyas; while the sentences with the verbs in the present tenses only aim at glorification.

The question often arises as to whether the Śruti passages pointing out fruits for Ātmavidyā are to be treated as injunctive or glorificatory. In this context, one may read with advantage the discussion of the great Ācārya on the B.S. III.4.15. Here the view point of the prima facie is that such passages are glorificatory. Here the great Ācārya seems to be in complete disagreement with the view point of the prima[15] facie in that such passages are glorificatory. He significantly points out that a qualified man gets the fruits of his acts after a pretty long time. But so far the fruit of the Ātmavidyā is concerned, one gets it immediately. This kind of fruit is also experienced by the concerned Ātmavid persons. Hence it is not proper[16] to consider or treat such Śruti passages pointing out the fruits for Ātmavidyā as purely glorificatory. A passage will have to be treated as glorificatory only when its fruit is not actually experienced by the concerned person or about the enjoyment of it, there is some scope for doubt. But when, however, a fruit for a particular Vidyā is actually experienced by the concerned persons, a passage displaying the fruit for a particular Vidyā does not become glorificatory. It is also a generally accepted view of the Mīmāṁsakas that when for a particular act, a fruit is not available to a person from a Vidhi Vākya, it can be imagined on the strength of the glorificatory passages. Moreover, one may draw the attention of the serious readers to the import of Viśvajit nyāya, Rātrisatra nyāya, phalavat sannidhau aphalaṁ tadangaṁ etc, indicating the position of the Mīmāṁsakas in that respect. Here one is happy to mention that the great Ācarya has made a very judicious use of the Mīmāṁsā stand-point.

Śankarācārya has also clarified his position in respect of the glorificatory passages becoming operative. For the elucidation of this point, one may read his Bhāṣya on B.S.III.3.26. Here Śankarācārya refers to the passages from the Chandogyopaniṣad VIII.13.1, Muṇḍakopaniṣad III.1.2 and Kauṣītakī[17] Śruti I.4. to show that when an Ātmavid person abondons his sins and merits, they are taken up by the enemies and good friends. Here the question arises as regards the nature of the acts of giving up a particular thing and taking up a particular thing. Besides, what is the purport at the back of such Śruti passages? Here it is shown that the main intention of the Śruti passage is to praise the Vidyā, that is

connected with the soul. Here it is indicated by the great Ācārya that the act of taking up is subsidiary to the act of giving up a particular thing. Here the Vidhi Vākya can be formed as 'One should exert to get the knowledge of Ātma-Vidyā. The two sentences- 1) He abandons his merits and demerits 2) His good deeds are taken up by the good and bad deeds are taken up by the bad. That one glorificatory Vākya depending upon another glorificatory Vākya also becomes operative. This idea is very well explained by MM. Vasudeoshastri Abhyankar in his foot-notes Nos. 14-15 p.73 of the third volume. Attention of the readers is drawn to this lucid explanation. Here the learned Shastri has also given us a practical example to bring the point home to the readers. Śankarācārya has thus expressed a very independent view that one glorificatory sentence can become operative. It is significant to note here that this special view ofthe great Ācārya has escaped the eagle eye of the learned Kevalanda Sarasvatī in his monumental work entiled 'Mīmāṁsā-Kośa.' Here a comparative student of Pūrva-Mīmāṁsā and Vedānta cannot afford to neglect this significant contribution of the great Ācārya for the scope of the Arthavāda sentence. In passing, one may add here that the exact import of this observation of the great Ācārya is well brought out by Vācaspatimiśra in his Bhāmatī[19] on the Śānkarābhāṣya. Incidentally, however, it should be noted that the idea of the one glorificatory sentence depending upon another glorificatory sentence also can become operative is well-explained by Śankarācārya by quoting a passage[20] from the Chāndogyopaniṣad II.10.5 and also explaining the same.

For an Arthavāda passage becoming a case of Guṇavāda, there is a good place in the Bhāṣya of the great Ācārya on B.S.III.3.45. Before entering into the discussion proper, it is necessary to point out that an Arthavāda becomes principal, when it not only conveys its own sense but also praises the act that is laid down by the Śāstra. But the Arthavāda passages become subsidiary when they do not properly convey their senses but only praise the act. Besides, if the fruits mentioned in the glorificatory sentences are not likely to be accrued to the Yajamāna proper, then the said glorificatory sentences become the case of Guṇavāda or assumes the position of Guṇavāda. This seems to be the idea at the back of the use of the expression Guṇavāda in the Bhāṣya of the great Ācārya as well

explained by MM. Vasudeoshastra Abhyankar in his foot-notes on B.S. III.3. 42. Śankarācārya in his Bhāṣya on the B.S. III.3.45 has expressed[21] one view point through the view point of the prima facie that if for an Arthavāda Vākya, no original source is available, then it should or could be treated as a case of Guṇavāda. It may be noted here, in passing, that the Ācārya has decided[22] in his discussion on the B.S. III.3.49 that when any sentence having no potential forms, occurs in the context of a sentence having the potential forms, then the former assumes the nature of the Arthavāda Vākya.

Śankarācārya has also given us a clue to recognise what kind of passages are to be treated as injunctive and what passages are to be treated as glorificatory. One can elucidate this point by Śankarācārya's discussion on the B.S. III.4.31. Here the question arises whether the śruti passages prolinbiting the eating of uneatables, assumes the nature of the Vidhi Vākya or the Arthavāda Vākya. The prima facie view is that such passages are injunctive sentences. While Śankarācārya in his Bhāṣya on B.S. III.4.31 holds[23] that these passages are of the nature of glorification and moreover, the words 'yaḥ evaṁ veda' in the Śruti passages further indicate that these are the glorificatory passages. In addition to this, he also adds that in these Sruti passages, we do not come across potential forms indicative of the Vidhi Vākyas. He concludes the entire discussion by stating that such passages are to be interpreted in such a way that they should be in complete agreement with the spirit of the Kāṭhaka Saṁhitā.This again goes to show his regard for the Śruti passage. The converse of this discussion[24] is available to us in his discussion on the B.S.III.4.20.

The importance of the Bhāṣya of the great Ācārya can also be appreciated from another point of view. In deciding whether the word in a particular sentence is expressive of injunction or glorification, Śankarācārya has given us a good clue which clearly reveals to us that a word occurring in the Arthavāda Vākya cannot assume the position of a vidhi Vākya. Here one could draw the attention to his Bhāṣya on B.S.III.3.40-41. Here the question arises as regards the exact nature of the expression 'prāṇāgnihotra.' Actually this expression refers to the five āhutis that are supposed

to be taken by a man before taking his lunch or meal. Now the expression 'panca āhutis' is connected with Agnihotra. Does it thereby reveal that the expression 'Prāṇāgnihotra' assumes the characteristic of the Agnihotra, i.e. whatever are the duties connected with the performance of the Agnihotra the same are to be conneeted with the performance of the prāṇāgnihotra. In his Bhāṣya on the B.S.III.3.41, the great Ācārya points[25] out that the word Agnihotra has occurred in the glorificatory sentence and not in the Vidhi Vākya. Hence whatever are the duties connected with Agnihotra, the same are not to be connected with prāṇāgnihotra. He finally concludes[26] that if there is the dropping of the lunch or a dinner, then there is also the dropping of the Prāṇāgnihotra. The long and short of this discussion is that while deciding the nature of the word, one has to take into account[27] whether the word has occurred in the context of the Vidhi Vākya or the Arthavāda Vākya. This alone has served as a sound clue for deciding the nature and scope of a word in the parlance of Mīmāṁsā discussion or interpretation.

Attention may also be drawn to a discussion in his Bhāṣya on B.S.III.4.20, for introducing a point[28] that no syntactical connection is to be established between a Vidhi Vākya and Arthavāda Vākya and such a sentence is actually to be treated as a case of Guṇavāda. This is a view which generally runs conter to the view point of the well-known Mīmāṁsakas like Śabara and Kumārila. Here the question arises as regards the exact import or purport of the passage from the Chāndogyopaniṣad II.23.1. whether this passage lays down the duties of thre three stages of life or whether it lays down or aims at the glorification of the Brahmaniṣṭha. The view point of the prima facie is that they just make the repetition of other stages of life and they do not aim at laying down any injunction as such. The great Ācārya expresses his siddhanta view on the B.S.III.4.20 that the passage from the Chāndogyopaniṣad II.23.1 aims at laying down the performance of the three stages of life along with the beginning of the stage of a house-holder. The laying down of the three stages of life is actually something which is Apūra. If, however, one holds that the two purports can be drawn from one and the same passage, then it may be said that it gives rise to the fault of Vākyabheda, which is to be accepted most unwillingly in

the present context. Besides, in the Jābāli Śruti, the performance of all the three stages of life is laid down. It will not be proper to say that the performance of the three stages of life is meant only for the blind and the lame. Hence he rightly feels that one should not try to bring about any syntactical connection between the two passages of the Chāndogyopaṇisad and Jābāla Śruti and he treats the passage from the Chāndogyopaṇisad as indicating the purport in the form of praise of brahmaniṣṭha and hence a good example[29] of Arthavāda of the type of Guṇavāda. One will have to admit that the Ācārya has, indeed, displayed his skill in interpreting the Upaniṣadic passages from the Mīmāṁsā angle — the rare skill not shown by any other Ācārya as such.

Any dispassionate reader of the Bhāṣya of Śankarācārya on the B.S. will be bound to be impressed by the commentaries[30]-Bhāmatī, Kalpataru and Parimala-indicating and throwing further light on his Bhāṣya from the Mīmāṁsā point of view by introducing some new maxims and Jaimini's Pūrva— Mīmāṁsā Sūtras at the back of the mind of the Ācārya. These commentaries certainly render more help for appreciating Śankarācārya's views and his deep knowledge and penetrating insight into the subject of the Vedānta and Pūrva-Mīmāṁsā.

In conclusion, one would appreciate the novelty of Śankarācārya's approach to the Mīmāṁsā technical term Arthavāda by noting his ability to treat Arthavāda as an independent authority, to know the fruit for a Vidhi Vākya from an Arthavāda Vākya, passages with the verbs in the present tenses indicating Arthavāda category and not that of the injunction, a passage becomes glorificatory when its fruit is not actually experienced by a man, one glorificatory passage depending upon another glorificatory passage also becomes operative, Arthavāda passages become Guṇavāda when no original source is available for the same, the context of a word in a sentence determines its nature as a Vidhi or Arthavāda, when no syntactical connection is to be established between a Vidhi Vākya and an Arthavāda Vākya, and when the Arthavāda Vākya becomes a case of or variety of Guṇavāda-another variety of Arthavāda, and further adding information to this subject — clearly bearing out testimony to his

profound knowledge even in his branch of learning, for which no praise is too high.

* Nirṇaya Sāgar edition of the Brahmasūtra Śankarābhāṣya with three commentaries - Bhamatī, Kalpataru and Parimala-published in the year 1938 is utilised for the purpose of this paper.

FOOT-NOTES

1. S.G. Moghe- 'Sankarācārya and Pūrva-Mīmāṁsā - in Mysore Orientalist. Vol. IV. No.2, 1971-pp. 79 to 89.
2. Vidhinā tu ekavākyatvāt stutyarthena vidhīnāṁ syuḥ/ Jaimini's Pūrva-Mīmāṁsā Sūtra.I.2.7.
3. Anugatāśca sarvatra abhimāninyaścetana devatā mantra-arthavāda-itihasa-puraṇādibhyo' vagamyate/Śānkara-Bhāṣya on Brahma-Sūtra. I.2.5.
4. Yatha loke devāḥ pitara....nānāsaṁsthāṇāni śarīraṇi prasādādini ca rathādīni ca nirmimāṇā upalabhyante, mantra-arthavāda- itihāsa-purāṇa-prāmāṇyāt/ Śānkarabhāṣya On B.S.I.2.25.
5. Also See: Dr. S.K. Belvalkar's notes on Śankarābhāṣya II.1.5 p.19. ca/Bṛhadāranyakopaniṣad V.3.4 quoted in the Śānkara Bhāṣya. pp.825-826.
6. Bhedena hy phalasamyogo bhavati-jayati imān lokān/Bṛhadāraṇyakopaniṣad V.4.1 and hanti pāpmānaṁ jahāti ca/ Bṛhadāraṇyakopaniṣad V.3.4 quoted in the Śānkara Bhāṣya pp.825-826.
7. Api ca arthavādādeva phale kalpyitavye sati vidyaikatve ca avayaveśu śrūyamaṇāni bahūṇi-api phalāni avayavinyāṁ eva vidyāyaṁ upasaṁhartavyāni bhavanti/ Ibid p .826. It may be noted that Bhāmāti makes a distinction in the fruit of nitya and kāmya actions.
8. J.O.R.I. Manuscripts Library, Kerala, Vol. XVIII No. 4. pp.5-6.
9. Subrahmaṇyārthavade 'Medhātithermeṣā' ity/Śāṅkarabhāṣya on B.S.I.3.33. p.341.
10. Medhātithiṁ ha kānvayanaṁ indro meṣo bhūtvā jahāra/ Ibid. p.341.
11. Śāṇkarābhāṣya p.817.
12. Pratyakṣādi pramāṇanvirodhe site yaḥ arthavādaḥ sa guṇavādaḥ,' Anuvādāḥ pratyakṣādi-pramāṇāntara.....avadhārite....../
13. Svargakāmaḥ agniṣṭomaṁ juhuyāt/
14. Eteṣu vākyeṣu phalam sādhyatvena na pratīyate....śruṇoti ityadī vartamānatvaanirdeśāt/ Tasmat yadatra phalaśravaṇaṁ tat tat karmaṇi pratvartakaḥ kratvarthah arthavāda eveti/Mīmāṁsā- Maṇḍana. p.175. Also see: Śānkarabhāṣya on B.S.III.3.49 p.843.
15. Bṛhadāranyakopaniṣad IV.4.22 and Chāndogyopaniṣad VI.14.2 quoted in the Śānkarabhāṣya on Brahma sūtra III.4.15. p.958 and 875.
16. Atọ'pi na vidyāyāhkarmaśeṣatvaṁ nāpi tadviṣayāyāḥ phalasruteray-atharthatvam śakyam āsrayitum/Sānkara-Bhasya p..875.
17. Tat sukṛtaduṣkṛte vidhūnate tasya priyā jñātayaḥ sukṛtam upayanti apriya duṣkṛtaṁ/ Kausitākī Upaniṣad I.4. quoted in thśānkarabhāsya p.804.
18. Suprasiddhā ca arthavādantarapekṣā arthavadantarapravṛtiḥ/Śāṅkarabhāṣya. p.805.

19. Na ca arthavādantarapekṣā arthavādāntarāṇāṁ na dṛṣṭā/Bhāmatī on Śānkarabhāṣya p.805.
20. 'Ekaviṁśo va ito' sāvadityaḥ/ Chāndogyopaniṣad II. 10.5 quoted in the Śānkarabhāṣya p.805.
21. Cf:- Śānkarabhāṣya on B.S. III.3.45 p.841.
22. Yatra hy vispaṣṭo vidhāyako lingādirupavabvhayate yuktaṁ · tatra saṁkīrtanamātrasya-arthavādatrvam/Iha tu vispaṣṭa-vidhyantara-anupalabdheḥ sankirtanadevaiṣām vijñana-vidhānam kalpanīyam/Śānkarabhāṣya on B.S. III.3.49 p.843.
23. So'pi 'na ha vā evaṁ vidi (Chandogyopanisad V.2.1) ityasya arthavādatvāt upapannataro bhavati/ Tasmāt evaṁjātīyaka arthavādā na vidhayaḥ ity/ śānkarabhāṣya p.902.
24. Satīmapi tu ekavākyatapratītim parityajya vidhereva abhyupagantavyaḥ apūrvatvāt, vidhyantarasya adarśanāt/ Ibid. p.880.
25. Iha punar-arthavādagato agnihotraśabdo na tadvad bhāvaṁ vidhāpyitum arhati/ Śānkarabhāṣya on B.S. III.3.41. p.832.
26. Na hy asti vacanasya atibhāraḥ/Na tu anena asya nityatā śakyate darśayitum/Ibid p.833.
27. See foot-note 24 above.
28. 'Trayo dharmaskandhāḥ/quoted on B.S. III.4.19.
29. Vispaṣṭāt ca āśramāntarapratyayāt guṇavāda-kalpanayā ekavākyatvaprayojanānupapatteḥ Śānkarabhāṣya on B.S. III.4.20.
30. Vedanta-kalpataru - suggests Jaimini's Pūrva-Mīmāṁsā Sūtra VI.1.6 on Śānkarabhāṣya I.3.33;

    Kalpataru-Parimala suggests Jaimini's Pūrva-Mīmāṁsā Sutra VI.1.10 on Śānkarabhāśya I.3.33.

    Bhāmatī suggests Rātisatra nyāya on Śānkarabhāṣya I.14.

    Bhāmatī suggests - Abhyuditeṣṭinyāya on Śānkarabhāṣya III.3.7.

20

MĪMĀṀSĀ PRINCIPLES AS ENVISAGED BY ŚANKARĀRYA IN JAYAMANGALĀ ON KĀMANDAKĪYA-NĪTISĀRA

The commentator Śankarāya has used some of the *Mīmāṁsā* principles in interpreting the text of *Nītisara.* In this research paper, an attempt is made to determine the utility of the *Mīmāṁsā* doctrines as suggested by Śankarārya, incidentally also comparing him with the Dharma-Śāstra authors like Vijñāneśvara, Kullūka and Nīlakaṇṭha.

Śankarārya has written the illustrious commentary known as *Jayamaṅgala* on the *Kāmandakīya-Nītisāra.* As remarked by T. Ganapatishastri, scanty information is available to us about this author.

The application of the Mīmāṁsā rules of interpretation in interpreting the texts of *Dharma-Sastra, Aalmkāra, Vedānta* and even *Vyākaraṇa* is supreme and its importance can hardly be gain said by any careful Student of those branches. The question arises as to whether the Mīmāṁsā rules of interpretation are useful for interpreting the works like *Kauṭilīya Artha-Śāstra* and its counter-part the *Kāmandakīya-Nītisāra.* (K.N.) or not.

In his commentary on the K.N., our author employs the three maxims like *Mātsya-Nyāya,' Karmaṇi Bhujyate Vṛttiḥ* and *Kākākṣivat Nyāya.* Actually, however, the third *nyāya* alone appears to be slightly useful in interpreting the text of the K.N. The first two *'Nyāyas',* at the most, throw a flood of light upon the local customs or the behaviour of the people. As regards the *Kākākṣivat nyāya,* it should be noted that in the text itself the expression *Kākākṣīvat* occurs. And this is explained by the commentator *Śankarārya* as kākākṣivat alakṣitaḥ etc. Here the topic under discussion is the behaviour of a king with the two powerful enemies. In this respect, it is advised that one should put into practice the principle of the above maxim. Either one should resort to both or one should resort to either of the two powerful enemies, just as the eye of the crow, though one, serves the double purpose. The expression *'Kākākṣivat* comes nearer to the *Kākākṣīgoaka nyāya* popularly used in the *Dharma-Śāstra* texts. This *nyāya* is also akin to thė *Dehalīdīpaka Nyāya* found in the *Dharma-Śāsta.* In this context one is tempted to say that in the present next, the question of interpretion, basically, does not arise. But the introduction and the use of this *nyāya* helps us to determine the nature of the policy of a king. The other two *nyāyas* are used by the commentator in the following places.

The principle of 'Upalakṣaṇa' is also found used by our commentator *Śankarārya* in the course of his comments on the K.N. In the K.N. V. 11, it is said that the intelligent will obtain even a difficult thing, provided he indulges in performing his duty. Here it should be remembered that in the body of the text, the word medhā occurs. Śankarārya in his comments on the word-*Medhā* says that the word *Medhā* is illustrative and it includes intellect also. Actually it was not necessary to comment on this word. Further it deserves to be noted that for treating any thing as a fit case Upalakṣaṇa, it is always necessary to quote some text in support. This principle is sometimes, used by Nīlakaṇṭha, the author if 12 Mayūkhas in the course of his discussion. In this context, it is interesting to note that the principle of quoting the authorities for treating the particular word in the text as a fit case of Upalakṣaṇa is adopted by Nīlakaṇṭha in his Vyavahāra-Mayūkha.[4] In our present illustration, it may be noted

that our author Śankarārya has not quoted any passage in support to treat the word *Medhā* as a fit case of *Upalakṣaṇa*. Here one may say that like Dharma-Śāstra, it is not necessary to quote any textual authority to support the case. I may add her that it will not be proper on our part to expect ,so much minuteness from the interpreter of the K.N., as basically it does not involve the question of interpretation. But it would have been better, had he quoted any textual authority to support his observations at least from *Kauṭilīya Arthaśāstra*.

It seems that our author has properly understood the principles of[5] Anuvāda and *punarvacana* amply used by the *Dharma-Śāstra* authors particularly Nīlakaṇṭha and Vijñāneśvara in his commentary Mitākṣarā on the Yājñavalkya-Smṛti. Our commentator takes proper care to point our why the work *rājyam* occurs again in the body of the text. Actually this word occurs in the text the K.N. I.18. This word again occurs in the K.N. IV.1. While commenting on this word of the text,[6] Śankarārya points out its purpose. He says that the author intends to give more prominence to that restated thing in the present context. This naturally becomes the fit case of *Punarvacana*. Actually however, so much minuteness in the interpretation of the text is not to be expected from our commentator. This simply helps us to rightly infer that the commentator Śanakarārya is thoroughly trained in the atmosphere of the Pūrva-Mīmāṁsā.

While discussing the topic of the activities of the spies in the chapter XIII of the K.N., it just said that the king should see the activites of the enemies by means of his spies. This is a general statement made by the author of the *Nītisāra* Śankarārya, commenting on these places of the K.N. XIII.29 and XIII. 32, points[7] out that in the latter part futher details in which the information is to be collected by the spies is pointed out by the author of the Nītisāra. Possibly the author of the commentary wants to show that it can be treated as a case of *Punarvacana* in which further details are pointed out only to give more- prominence to the restated thing in the particular context. This can also become a good example of the *gobalīvarda-nyāya* specially intended to invite the attention of the king to this important aspect.

It is futher interestingto note that the principle of *Anuṣanga* is also used by Śankarārya in interpreting the text[8] of the K.N. X.24. While starting a war, the king should consider whether any benefit can be derived from this act or not. If not, it is not desirable to start a war. Here we have to connect the words as applied with the expression Kāladvaya Saṁśuddham ārabhet. Thus, this becomes a fit case of *Anuṣaṅga*. It is well-known that in the *Anuṣaṅga* one has to supply some words from the previous portion of the text for properly understanding the later portion. Here in this context, it may be noted that our commentary did not think it fit to quote any text in support for justifying the above stanza as a fit case of *Anuṣaṅga*. In this respect, one may invite the attention of the careful readers to the important discussion[9] introduced by Nīlakaṇṭha in his *Śrāddha Mayūkha*. Here Nīlakaṇṭha finds fault with Hemādri for interpreting the text of *Gobhila* by making syntactical connection (*Anuṣaṅga*) of the word *Pūrna* with *ṣaṇmāse*. It is the opinion of Nīlakaṇṭha that this is not a fit case of *Anuṣaṅga*, because Hemadri has not quoted any textual authority of justify *Anuṣaṅga*. In this context, it will be futher interesting to note that even Kullūka in his commentary on the *Manu-Smṛti* VIII. 106, does not quote any textual authority to justify the Anuṣaṅga suggested by him. Possibly he might not have thought it fit. In this respect one is tempted to say that out commentator Śankarārya and Kullūka do not show the minuteness that is easily noticed in the case of Nīlakaṇṭha. This principle is absolutely essential for a man who wants to study the Pūrva- Mīmāṁsā as a science of interpretation.

It is further pertinent to note that sometimes while resorting to *Punarvacana*, our commentator Śankarārya shows further interest by quoting some stanzas that occur in the text of the K.N. While pointing out the qualities that contribute to the growth in wealth, in the text[10] of the K.N. I. 23, there is a reference to the quality 'Dākṣyam'. It means the absence of laziness. While commenting on this portion of the K.N. Śankarārya points out that anālasyam is already inculded in *utsāha* which is the sign[11] of the absence of laziness, quickness, anger and heroism. He further comments that the reproduction in this context is for the purpose of giving prominence.

I have already pointed out the possible opinion of Śankarārya in his comments on the K.N. XIII. 33 that this can be regarded as a fit case of *Punarvacana.* I, however think that this can be regarded as a good case of *Anuvāda*, giving further details of the information to be found by the spies of the king. This is in keeping with the illustration of the *Mitākṣarā* on the *Yājñavalkya-Smṛti.* II.1. Here-Vijñāneśvara points out that in the *Yājñavalkya-Smṛti* I. 360 (in the chapter of the duties of a king). Yājñavalkya has pointed out that the king should carry out his duties along with his associates (*sabhyaiḥ*) in the matter of giving justice to the people. It may be noted that in the *Yājñavalkya-Smṛti.* II. 1, Vijñāneśvara points out the futher details to be borne in mind by the king when he carries out his duties properly well. Vijñāneśvara, the celebrated Mīmāṁsā Scholar[12] treats this as an example of *Anuvāda.* If this example is kept at the back of mind in reading the present passage from the K.N., one will be tempted to say that this can be regarded as an example of Anuvāda.

It also seems that the term *Vidhi* is employed by commentator Śankarārya at the *K.N.* I.66, V.84; X.2; XII.17; XIII1; and XVI.61 and the term Niṣedha is uded at *K.N.* XVI.51; and XX.4. Actually however, these two terms are not used in the strict sense in which they are utilised in the *Mīmāṁsā* terminology. In this respect, our commentator Śankarārya may stand in comparison with Kālidāsa who also makes the free use of the term *Vidhi* and not in accordance with the rules of the *Pūrva-Mīmāṁsā.* Are we to infer that possibly our author is carried away by the influence of the terms *Vidhi* and *Niṣedha* from the *Pūrva-Mīmāṁsā.*

In fine, it seems that the use of the *Mīmāṁsā* principles as suggested by the commentator Śankarārya cannot be grainsaid by any careful student of this work. It is true that the use of the popular maxims is very meagre in the commentary. This can, perhaps, be understood in view of the nature of the work that involves no problem of interpretation. For considering a particular passage as a fit case of any *Mīmāṁsā* term, it appears that our commentator does not quote any passage from the *Kauṭiliya Arthaśāstra* or a similar work. This is the practice generally followed by the authors of the *Dharma Śāstra-digests.* Our author seems to be very careful in making the judicious use of the

principles of *Anuvāda* and *Punarvacana* in interpreting the text. In this context, one should not fail to note that sometimes our author virtually follows the principle of the technical term from the *Pūrva-Mīmāṁsā*, without at the same time, making any clear cut reference to it. Our author is also paying meticulous attention to the text of the *K.N.* from the interpretational point of view even in introducing the principle of *Anuṣaṅga*. It may be regarded as a minuteness like the authors of the *Dharma-Śāstra* or the *Vedānta* writers like Śankarācarya. Sometimes, however, he makes the loose use of the terms Vidhi and *Niṣedha* and in this respect he stands in comparison with Kālidāsa who has also made the abundant use of the *Pūrva-Mīmāṁsā* literature. One may jump to the conclusion that the ever-use of the *Mīmāṁsā* terms in the commentary on the *K.N.* goes to show that our author was bred in anatmosphereof the *Pūrva-Mīmāṁsā*. Any way, the above discussion helps one to conclude unmistakably that the use of the principles of the *Pūrva-Mīmāṁsā* and the popular maxims in the commentary on the political work like the *K.N.* though very meagre, will have to be accepted by any careful student of this commentary. Needless to say that it will not be proper to blame the author of the commentary *Jayamaṅgalā* on the *K.N.* by making the comparative study of the present author with the well-known authors of the *Dharma-Śātra* and the *Vedānta*.

FOOT-NOTES

1. Balinordviṣatomadhye vācātmānaṁ samarpayan/Dvaidhībhāvena varteta kākākṣivadalkṣitaḥ/Kāmandakīya Nītisāra XI. 23.
2. Karmaṇā bhujyate vṛttiḥ nyāya-Kāmandakīya Nītisāra V. 63 and Mātsya-Nyāya-I.9.
3. Durāpaṃapi lokesmin yadyatvastu-abhivāncchati/Tat-tat-āpnoti medhāvī tasmāt kāryaḥ samudyamaḥ/Kāmandākiya-Nītisāra V. 11.
4. Bhrātṛgrahanam bhaginīnāṁ uplakṣaṇam/Tathā ca sa eva asaṁsktṛtāstu yāstatra.....Vyavahāra-Mayūkha p.106 (Kane's edition).
5. Jñāta jñāpako anuvādaḥ/or saḥ nāma anuvādo bhavati yaḥ atyantasamānārthatvena avadhāryate/. The purpose of punarvacana is to give prominence to that restated thing in a particular context.
6. Swāmī amātyaśca rāṣtram ca durgam kośo balaṁ suhṛt/Paraspara- upakāri idaṁ saptāṅgm rājyam ucyate/Kāmandakīya-Nītisāra. IV.11.
7. Vairiviceṣṭitam iti sāṁanyenoktam viśeṣaṇāt/Kāmandakīya-Nītisāra- XII. 32.
8. Tadātvāyati saṁśuddham ārabheta vicakṣaṇaḥ/Tadātvāyatiśuddhāni sarvakarmāṇi cintayet/Kāmandakīya-Nītisāra X.24 and Also Śankarāryāon it Tathānyadapi karma kālad-vayasamśuddhimarabheta iti anuṣangāt āha/p. 145.

9. Atra Hemadriṇā pūrṇa sāṁvatsare ṣaṇmāse tripakṣe vā....tadanuṣaṅge pramāṇābhāvadupekṣyaṁ/Śrāddha-Mayūkha P. 140 (Gujarati Printing Press, Bombay, 1920).
10. Śāstam prajñā dhṛtirdākṣyaṁ prāgalbhyaṁ dhārayiṣṇutā/Utsaho vāgmitā dārdhyam apat kleṣa-sahiṣṇutā/Kāmandakīya-Nītisāra. I. 23.
11. Dākṣyaṁ śaighraṁ tatha'marṣaḥ śauryaṁ ca utsahālakṣaṇam iti/Śankarāya on Kāṁandakīya-Nītisāra. I. 23.
12. Paśyediti purvoktasya-anuvādo dharma-viśeṣa- vidhānārthaḥ/Miāakṣarā on Yājñavalkya-Smṛti. II.1. (Nirṇaya Sagar Press edition, Bombay, 1949).

21

PŪRVA-MĪMĀṀSĀ AND RASA INTERPRETATION

The concept of *Rasa* plays a very important part in the domain of Sanskrti poetics. Dr. P.V. Kane and Dr. S.K. De and even others have given fuller treatment to the topic of sentiments in their writings. But whatever important part in the *Rasaniṣpatti* is played by the science of interpretation appears to have been totally neglected by most of the writers-particularly modern writers-in their complete exposition of this topic. It must be stated here without any feelings of contradiction that the writers on *Alaṁkāra-Śāstra* and also *dramaturgy* have made very judicious use of the doctrines of *Pūrva-Mīmāṁsā* in the interpretation of the *Rasa* aspects. Hence an attempt is made in this paper to bring to light the *Mīmāsā* doctrines which have indeed helped the process of the *Rasaniṣpatti* in the light of the selective writers on *Alaṁkāra Śāstra* and *dramaturgy.*

I. The Mīmāṁsā doctrine of *Bhāvanā* has appealed to the mind of *Bhaṭṭa Nṛsiṁha*, the commentator of the commentary *Laghuṭīkā* on the *Daśarūpaka of Dhanañjaya.* In his comments of the *Daśarūpaka* IV.37, he points out that the relation of the Rasa with Kāvya is not that of *Vyaṅgya-Vyañjaka* but that of *Bhāvya-Bhāvaka.* To clarify this position, he also gives us the *Mīmāṁsā* example of '*Svargakāmo Yajeta*' and points out that the *yajamāna* becomes the *Bhāvaka*, the sacrifice becomes the *Karaṇa*-instrument and *svarga* becomes *Bhāvya. Bhāvya* actually

means a thing to be brought into existence in near future. He applies[1] this case to the example of audience, *kāvya* and sentiment. Here the audience becomes the *karta* i.e. agent like a Yajamāna, words that are uttered by the audience by way of their reactions on the actions of the actors on the stage take the shape of an instrument like *Yajña*, and the sentiment that is produced by the actions of the actors on the stage takes the place of *Bhāvya* like that of heaven. In this way, the *Mīmāṁsā* influence on the mind of Bhaṭṭa Nṛsiṁha, the commentator of the *Daśa Rūpaka* can hardly be ignored. Bhaṭṭa[2] -*Nāyaka*, however, accepts the process of *Bhāvakatva* and *Bhojakatva*, and thereby resorts to the *Mīmāṁsā* bent of mind. Another *Mīmāṁsaka* Bhaṭṭa[3] Lollaṭa understands the word *Niṣpatti* in Bharata's Sūtra to mean *utpatti* or production like that of an effect. In passing, one may remark that Abhinavagupta in his *Locana* on the *Dhvanyāloka* has already proved the untenability of the view point of the *Mīmāṁsakas* in this respect. For a fuller discussion in this respect, the attention of the learned readers is drawn to the *Dhvānyaloka* and its critics by Dr. K. Krishnamoorthy.[4]

II.The use of the *Mīmāṁsā* technical terms for the exposition of the *Rasa* theory can also be regarded as a special feature of this discussion. Here it may be remarked that the *Mīmāṁsā* technical terms like *Atideśa, Pratiprasava, Anuvāda, Bādha, Vidhyanuvāda* etc. are used in season and out of season for this purpose by the writers on *Alaṁkāra-Śāstra* and *dramaturgy*. The *Mīmāṁsā* doctrine of *Pratiparasava* is skillfully used by the great Abhinavagupta in his *Locana* on Dhvanyāloka III.20. Ānandavardhana in his Dhvanyāloka III.18-19 points out the possible hindrances in the development of a particular sentiment. Here he shows that the descriptions of the *Vibhāvas* of a sentiment when it is already developed, and indecorum in respect of behaviour, constitute some of the hindrances in the proper development of a sentiment which is actually intended to be developed by a poet. Hence a good poet should not use such hindrances which will mar the beauty of the poetry. When, however, *Ānandavardhana* in his[5] Dhvanyāloka III.20 points out that when the intended sentiment is already well- developed on a secure footing, there will be no defect in including even the hindrances which are mentioned under

Dhvanyāloka III.18-19. He further holds that such hindrances come only as foils and ancillaries and they are positively over-shadowed by the intended sentiment. *Abhinavagupta* in his *Locana*[6]-looks on the Dhvanyāloka III.20 as a *pratiprasava* i.e. an exception to the negative rule already stated in the Dhvanyāloka III.18-19 and tries to accommodate both the rules framed by Anandavardhana in the matter of hindrances to the intended sentiment. The principle of *pratiprasava* serves the purpose in the present context.

For the employment of the *Mīmāṁsā* technical term *Anuvāda* for interpreting the *Rasa* aspect, one will have to consult the commentary Madhumatī of Ravibhaṭṭa on the *Kāvyaprakāśa*. In his comments on the line '*sa hi rasādi śabdena śṛṅgāradipadena abhidhīyate, na cābhidhīyate/ from the Kāvyarakāśa* V.P.417, Ravibhaṭṭa states that the *Rasa* could be expressed by the generic words or by the particular words. To explain this concept, he further quotes a stanza.[7] In his comments on this stanza, he suggests that if one wants to depict erotic sentiment, one should use the words which will culminate in depicting the *Śṛṅgāra Rasa* and maintains that one should make the repetition[8] (*Anuvāda*) of the determinants of the *Śṛṅgāra Rasa* by the words indicative Śṛṅgāra Rasa and also quotes Ānandavardhana's Dhvanyāloka[9] in his support. In passing, one may draw the attention of the readers to the important observation[10] of the present author that the writers on *Alaṁkāra-Śāstra* look upon the repetition by the term *Anuvāda* as more significant and purposeful; while the repetition by the term *Punarvacana* is meaningless. The above example from the commentary Madhumatī of Ravibhaṭṭa further supports the observation that the repetition of the words or determinants for developing a particular sentiment is no fault at all. One is happy to note that the *Mīmāṁsā* technical term *Anuvāda* has served the purpose of the writers on *Alaṁkāra-Śāstra* in the domain of the development of *Rasa*.

The employment of the *Mīmāṁsā* technical term *Vidhyanuvāda* has also played a very significant part in the domain of *Rasa* development. Actually in the parlance of *Pūrva-Mīmāṁsā* and *Dharma Śāstra*, the fault of *Vidhyanuvāda* occurs when in one and the same sentence, one gets the injunction of a particular thing or act and also the repetition of the same act. For a proper example

of *Vidhyanuvāda*, however, one will have to appreciate the commentary *Mitākṣarā*[11] of Vijñāneśvara on the Yājñavalkya-Smṛti I. 81. When however, this term is employed in the *Alaṁkāra Śāstra*, a radical change is introduced by the writers on *Alaṁkāra-Śāstra*. They thereby suggest that when in a stanza, there is *vidhi-ayuktatā* or *anuvāda-ayuktatā*, then this kind of fault rises. Dr. K. Krishnamoorthy[12] translates vidhi as direct assertion and *Anuvāda* as indirect speech (assertion) Māṇikyacandra in his comments[13] on *Kāvya-prakāśa* points out that *Vidhyanuvāda* has scope even in the delineation of *Rasas*. What he means to say is that if one *Rasa* which should have been depicted prominently is delineated only secondarily and other *Rasas* which should have been depicted secondarily are depictd as prominently, there also this fault of *Vidhyanuvāda* arises. One is here constrained to remark that the observation made by Māṇikyacandra in his *Saṅketa* is actually based on Ānandavardhana's Dhvanyāloka[14] and though the language of both of them is slightly different, yet the language echoes the same thought. One will have to admit here that the employment of *Vidhyanuvāda* as a demerit in the delineation of *Rasa* is significant.

The *Mīmāṁsā* principle of *Bādha* is also fruitfully employed by Hemacandra in his *Kāvyānuśāsana*. The stanza under discussion is actually quoted by Hemacandra in his *Kāvyānuśāsana* on P.102 though it is again referred to on P.168. Here is a case of *Vipralaṁbha Śṛṅgāra*. A poet is indulging in imagination as regards the place where his beloved might have gone. He imagines that out of anger she might gone have to heaven or she might have gone to a place which is beyond the range of eyes. In his comments[15] on this imaginative power, (Actually apprehension according to Hemacandra), the latter imagination is supposed to sublet the first imagination. This is how the *Mīmāṁsā* principle of *Bādha* is cleverly used by Hemacandra to express the sentiment at the back of the *Vipralaṁbha śṛṅgāra*.

The *Mīmāṁsā* principle of *Guṇpradhānabhāva* has also served the purpose of *Bahurūpamiśra* in his Dīpikā on Daśarūpaka IV.48. Here the question arises whether in a *Nāṭikā*, the prominence is to be given to the *Kaiṣikīvṛtti* or the delineation of a sentiment. *Buhurūpamiśra* simply observes that in a *Nāṭikā* having the

prominence of *Kaiśikī Vṛtti*, the sentiments *Vīra*, *Raudra*, and others remain present incidentally or secondarily. Here one is constrained to remark that *Bahurūpamiśra* has not tackled this question at good length; but he has passed over the entire discussion in silence and possibly by making his own observation[16] that in a *Nāṭikā*, the principal position is to be given to the *Kaiśikī Vṛtti*, and the secondary position is to be assigned to the delineation of any sentiments.

The *Mīmāṁsā* principle of *Vākyabheda* has also been used by Abhinavagupta in his Abhinavabhāratī on the Nātyaśāstra VI.45. Here it is shown that *Vipralaṁbha Śṛngāra* may be depicted by the *vyabhicāribhāvas*, such as *Nirveda*, *glāni*, etc. To illustrate the truth of this remark, Abhinavagupta has quoted a stanza[17] from the Raghuvaṁśa VIII.95. Abhinavagupta further makes an observation[18] that the great poet has conveyed the idea of death even by resorting to *Vākyabheda*. Prof. R.P. Kangle has given a note on this portion which clearly indicates that death cannot be regarded as a *vyabhicāribhāva* of Śṛṅgāra rasa; but for that purpose its connection will have to be established with the *Karuṇa Rasa* only. Here in the celebrated stanza from the Raghuvaṁśa VIII.95, we get two sentences-the first two lines indicate the death of *Aja* and the latter two lines show that he became united with his beloved who has become more beautiful and again enjoyed pleasures. Here it should be remembered that possibly according to Abhinavagupta *Vākyabheda* arises in this stanza not an account of two injunctions but because of two sentences or two incidents. Even Vaidyanātha in his *Tatsat* on Govinda Ṭhakkura's *Kāvyapradīpa* on the *Kāvyaprakāśa* has expressed his view[19] that when in a single stanza, the prominence is given to two incidents, then the fault of *Vākyabheda* arises. One may remark here that possibly Abhinavagupta does not look upon *Vākyabheda* as a fault in the poetry portion.

For the proper significance of the *Mīmāṁsā* principle of *Ekavākyatā* i.e. syntactical unity in the domain of *Rasa*, one will have to consult the commentary *Saṅketa* of Māṇikyacandra on the concluding portion of the VIIth chapter of the *Kāvyaprakāśa*. Here he categorically states[20] that if two things are on the footing of equality and are not of any mutual help to each other, there the

principle of syntactical unity is not possible. He, thereby, points out that if in a *Kāvya* or a stanza, there are many- sentiments equal to each other and are not likely to render any service to each other, there also the principle of syntactical unity can not be applied. He, further, illustrates the truth of his observation by quoting a stanza.[21] If one reads the stanza correctly, one would realise that in the mind of a warrior, there are the sentiments of *Rati*, *Utsāha*[22] and *Mātsarya* and these ultimately culminate in the *Vīra Rasa* and hence here no syntactical connection is possible to be established between these sentiments. Hence Māṇikyacandra deserves credit for making the use of this principle only to show how the fault arises in a *Kāvya* or a stanza.

For the Use of *Mīmāṁsā* principle of *Upalakṣaṇa* in appreciating the significance of *Rasa*, the readers may be referred to the commentary of Abhinavagupta on the *Nāṭyaśāstra* VI.34-38 and VII.44. To avoid prolixity, the present author thinks it proper to stop further discussion.

III. The writers on the *Alaṁkāra Śāstra* have also employed some popular maxims to elucidate the illustrations that are connected with the sentiments. The principles of *Guḍajihvikānyāya* is also found used by both Abhinavagupta and Govinda Ṭhakkura. Ānandavardhana in his Dhvanyāloka under III.30. points out that if some other conflicting sentiment is depicted in a stanza, as subordinate to a Śṛṅgāra sentiment and if it adds beauty to a stanza, then it is not to be treated as contrary to the erotic sentiment. Here the first line gives rise to an erotic sentiment by stating that beautiful ladies are indeed attractive and even the prosperity is delightful. In the second line, however, it is shown that the life of a man is fickle like the corners of the eyes of the intoxicated ladies. Here Abhinavagupta observes[24] that by this example no attempt is made to feel false detachment from life. But what this stanza intends to convey is that life in which all these things are desired is very fickle. It thus tends towards detachment. Here he suggests that by *Guḍajihvikānyāya*, that just as a patient is asked to take sweet things before taking a bitter drug even so the principle of the sentiment of *vairāgya* is delineated through the medium of erotic sentiment. Here a careful reader of the Alaṁkāra-Śāstra will not fail to note the influence of Abhinavagupta on Govinda

Ṭhakkura,[25] though the difference in the language is always taken for granted. Here Ṭhakkura uses the expression *Śāntra-Rasa* for *vairāgya*.

In this context, it should be remembered that according to Bharata there cannot be any close association between two sentiments erotic and śānta. Śrīvidyācakravartin, however, in his commentary Saṁpradāyaprakāśinī p.315 holds that both these sentiments should be mingled with each other and the beauty of the *kāvya* is heightened by the *śānta-Rasa*.

The principle of the maxim *Sūcīkaṭāha-nyāya*[26] is employed by Govinda Ṭhakkura to explain the priority to be given to the *lakṣyakramavyaṅgya* and *alakṣyakrama vyangya*.[27] *Lakṣyakramavyangya* means the suggested sense having perceptible sequence. As the *Alaksyakrama Vyangy* is having 15 varieties, Mammaṭa thought it proper to explain the case of *Lakṣyakrama-vyangya*. This has been done by him following the principle of *Sūcīkaṭāha-nyāya*. This *nyāya* means that if an iron-cutter is approached by two persons-one for the preparation of a fry-pan and another for the preparation of a needle-an iron cutter always gives preference to the preparation of a needle over the preparation of a fry-pan, even turning down the serial order. The preference is always given to a simple and easy thing over a thing which is complicated and taking more time for its preparation. Hence *Mammaṭa* has given a preference to *alakṣyakrama vyangya* having only one variety over *lakṣyakrma-vyangya* having 15 varieties, following the principle of *Sūcī-kaṭāha nyāya* based on daily experience of life.

The writers on *Alaṁkāra Śāstra* judiciously employed the principle of *Pradīpa-Ghaṭa-nyāya*. For the explanation of this nyāya, attention may be drawn to the *Mīmāṁsā-Kośa*[28] Vol.III.p.1652. Kevalananda Sarasvati explains this *nyāya* as a light in the pitcher enlightens only the inside portion of the pitcher', by quoting Sāhasrī p.362. This explanation, however, does not appear to be convincing in the context of the *Alaṅkāra-Śāstra*. It would be better to draw the attention of the readers to the explanation given by Abhinavagupta in his *Locana*[29] on the Dhvanyāloka. Here he explains that just as even though by the Vācyārtha of a word the *Vyangyartha* is suggested, yet the *Vācyārtha* does not cease to

exist. We get another use of this nyāya on the part of Vaidyanātha *Tatsat* when he explains[30] the *Vyangya-Vyañjaka-Bhāva* in respect of two types of *Dhvanis-Lakṣyakramadhvani* and *Alakṣyakramadhvani*. Here he says that one should not say that like the lamp and the pitcher, the apprehension of *Vyangya* and *Vyanjaka* is not simultaneously possible. By its very nature, a lamp is having the capacity to suggest the presence of a pitcher. but in the case of *Vibhavas*, however, they become known only when they are correctly understood by the percpetive critic. As this difference is there between the two, simultaneously the knowledge of the *Rasa* and its *Vibhavas* is not possible. If one seriously compares the application of the *Ghaṭa-Pradīpa-nyāya* on the part of the two writers on the *Alaṁkāra-Śāstra*, then one would be constrained to remark that the explanation of this *nyāya* as offered by Kevalānanda Sarasvatī by quoting *Sāhasrī*, is not acceptable in the context of the *Alaṁkāra-Śāstra*.

Pānaka-Raṣa-nyāya is another maxim quite favourite of the writers on *Alaṁkāra-Śāstra*. Māṇikyacandra in his *Saṅketa* on the *Kāvyaprakāśa* has employed[31] the principle of this maxim to explain the nature of *Vyabhicāribhāvas-transitory* moods in the delination of *Rasa*. Here he points out that just as in the *Pānaka-Rasa* i.e. a delicious beverage, it is not possible to appreciate the taste of *Guḍa*, *Marīca*, etc. separately in the process of tasting the *Pānaka Rasa*, in the similar manner while appreciating any sentiment in a *Kāvya* or a stanza, it may not be possible to locate *vibhāva*, *anubhāva* or *vyabhicāribhāva*. What he means to say is that so long as *Vibhāva* and others reside in *Sthāyī Rasa*, upto that time, it is possible to appreciate them. The same idea is also expressed[32] by Śrīvidyācakravartin in his *Saṁpradāyaprakāśinī* p.72 on the *Kāvyaprakāśa* and also by Govinda Ṭhakkura in his *Kāvyapradīpa* on the *Kāvyaprakāśa*.

Another maxim known as *Brāhmaṇa-Śramaṇa-nyāya* or the *Brāhmaṇa-parivrājaka-nyāya* has also proved to be very useful to writers on *Alaṁkāra-Śāstra* and *dramaturgy*. *Bahurūpamiśra* in his Dīpikā on *Daśarūpaka* IV.37 has raised the question whether there is actually any difference between the *Tātparya Vṛtti* and *Dhvani*. Here he refers to the view of some who try to make a distinction between the two. Here it is suggested that a place where the literal

meaning is not well-established to convery its sense, there the *Tātparya Vṛtti* figures. On the contrary, a place where the literal meaning is well-established to convery its own sense, there the *Dhvani* has a part to play. It seems that Bahurūpamiśra does not seem to favour this view. He expresses his view[33] by making the application of the *Brāhmaṇa Parivrājaka nyāya*. Just as a person who is originally a brāhmaṇa but in due course of time has become a monk, is always-recognised as a brāhmaṇa-monk, in the similar manner the *Tātparya Vṛtti* more or less is a case of *Dhvani*. (ii) We also get one more example of this case in the commentary of Vaidyanātha *Tatsat* when he explains the varieties of *Dhvani*. According to Dhvanikāra, there are three types of *Dhvani-Vastu*, *Alaṁkāra* and *Rasa*. He has also accepted *Dhvani* as the soul of poetry even in respect of *Guṇībhūtavyaṅgya kāvya* in which the suggested sense is shown to be subordinate to the literary meaning of a stanza. Vaidyanatha in his comments[34] on the stanza points out that even the case of the *Guṇībhūta-Vyangya Kāvya* can be treated as the fourth variety of *Dhvni*, following the principle of the *Brāhmaṇa-Parivrajāka nyāya*. In passing, one may also draw the attention of the readers to the application of this maxim on the part of Kumāraswāmī in his *Ratnāpaṇa* on the *Pratāpurudrīya*. p.55.

IV. The use of the *Mīmāṁsā Sūtras* of Jaimini is also another feature of this discussion. Attention can be drawn to the use and application of this maxim on the part of Ravibhaṭṭa in his commentary Madhumatī on the *Kavyaprakāśa*. The famous principle '*Guṇānām ca parārthatvāt occurs in Jaimini's Pūrva-Mīmāṁsā* III.1.22. This *sūtra* simply means that no syntactical-connection is possible between two things which are principal and also the two things which are subordinate. The syntactical connection is possible between two things-one of which is principal and the other is subordinate-and hence capable of serving the purpose of each other. In a stanza quoted in the *Kāvyaprakāśa* Chapter VII from the *Amuruśatakam*, Ravibhaṭṭa points[35] out that in this stanza,[36] there are two sentiments-*Karuṇa* and *Śṛṅgāra*. But there is no connection whatsoever between the two sentiments. On account of the excellence of *Tripura* and *Hara*, the *Vira Rasa* is suggested and hence it here becomes principal. It

is possible to show connection[37] between Pradhan *Vira-Rasa* and *Gauṇa*-subordinate *Rasas-Śṛṅgāra* and *Karuṇa*, because here *guṇapradhānabhāva* is possible. But in the above quoted example, it is not possible to show any connection between the two sentiments and the principle of this maxim becomes fittingly applicable.

The *Mīmāṁsā* example of *'Paśūn Anakti'* is given by Govinda Ṭhakkura to explain Mammaṭa's treatment of *Lakṣyakramadhvani* and *Alakṣyakramadhvani*. Vaidyanātha in his commentary *Tatsat* on Govinda Ṭhakkura's Pradīpa[38] explains this principle correctly. In connection with a sacrifice in the honour of a deity known as Prajapati, 17 animals are to be immolated. In their cases, some *saṁskāras* are to be made. Here *Upakaraṇa* is to be followed in respect of 17 animals following the principle of *Padārthanusamya* and then anointing is to be followed in respect of these 17 animals. Now the question arises whether the order followed in case of *Upakaraṇa* is also to be followed in respect of anointing. Here Vaidyanātha brings to the notice of the readers that whatever order is followed in case of consecration known as *Upakaraṇa*, the same is to be followed in respect of anointing the animals. Here one should not give any scope to one's own imagination and follow the order of *pravṛtti krama* to settle this debatable point. If, however, this principle is applied to the present case, one should better begin with the exposition of the *Alakṣita-Vācya-Dhvani* with which Mammata has begun. One may note here that the principle of *Sūcī-kaṭāha-nyāya* is picked up from the practical life and the example of *Paśūn Anakti*/is taken from the *Mīmāṁsā* or sacrificial field. But the import of these two maxims is one and the same.

V. It is a well established fact that both Śabara and Kumārila have also employed practical examples to explains the *Sūtras* of Jaimini. If this is virtually borne in mind, then one would be perfectly justified in drawing attention of the readers to one beautiful example given by the commentator of the *Kāvyaprakāśa*-Māṇikyacandra in his commentary *Saṅketa* on the *Kāvyaprakāśa* Chapter VII. Here he points out that if one sentiment is well developed with all its paraphernalia, then it is not proper to deal with the same sentiment again and again; otherwise it goes on losing its importance like the garland of mālatī flowers that goes

on fading if enjoyed again and again[39]. One is bound to be impressed by some such examples which the commentators give only to explain the exact import of the work they are commenting on.

From the foregoing discussion, it will be reasonable to conclude that in the interpretation of *Rasa* aspect of the poetics, the importance and significance of the *Mīmāṁsā* principles can hardly be gainsaid by any appreciative and comparative student of *Alaṁkāra Śāstra* and *Pūrva-Mīmāṁsā.*

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FOOT-NOTES

1. Bhāvyam svargādi-phalam/Bhāvako yajamānaḥ/karaṇaṁ yāgādayaḥ iti phalayagāyoḥ bhāvya-bhāvaka-saṁbandho bhāvanaivātra/ and (asyām) bhāvanāyāṁ 'sāmājikaḥ kartā/karaṇaṁ śabdāḥ/bhāvyo rasādiḥ/ Laghuṭikā. p.216.
2. Kāvyaprakāśa Chapter IV.p.90 (Jhalakikar's edition)
3. Ibid. p.87.
4. K.Krishnamoorthy-Dhvanyāloka and its critics-pp.219.229.

5. Vivakṣite rase labdhapratiṣṭhe tu virodhinām/ Bādhyānām aṅgabhāvāṁ vā prāptānāṁ uktiḥ-acchalā/ Dhvanyāloka III.20.
6. Evaṁ virodhināṁ parihare sāmānyenoktam pratiprasavaṁ niyataviṣayam āha - vivakṣita iti/Locana on Dhvanyāloka p.164 (Nirṇaya Sāgar edition, Bombay,1928)
7. Śṛṅgārī girijānane sakaruṇo ratyām praviraḥ smare etc. quoted in Madhumatı on Kāvya-Prakāśa Vol.I.p.417.
8. Vibhāvādi-abhivyaktasyaiva śṛṅgārādipadaiḥ anuvādāt/Ibid.p.418.
9. Sva-śabdena kevalaṁ anūdhyate/Ibid.p.418.
10. S.G. Moghe-Motivations of Punarvacana' J.A.S. Bombay Vol. Nos. 49, 50, 51 of 1974-75-76.p.128 Also see this article published elsewhere in this volume.
11. Tatra hi vidhyanuvādavirodho yatra vidheyavādhitayā taḍevanuvāditavyaṁ, aprāptatayānyoddeṣena vidhātavyaṁ ca/Mitākṣarā on Yajñavalkya-SmṛtiI.81.
12. Dhvanyāloka-Glossary pp.386-392.
13. Na ca raseṣu vidhyanuvādo na syatamiti vācyam/Saṁketa on Kāvyaprakāśa Vol.II. p.196.
14. Na ca raseṣu vidhyanuvāda-vyavahāro nāstiti śakyaṁ Vaktum/Dhvanyāloka p.167.
15. Uttarā pratipattiḥ pūrvāṁ pratipattiṁ bādhate iti na doṣaḥ/ Kāvyanuśāsana.p.168.
16. Kaiśikī-vṛtti-pradhānāyāṁ nātikāyām vīra-raudrādayo rasā aṅgatvena niviśante/Dīpikā on Daśa- Rūpaka p.96.
17. Tīrthe toyavyatikarabhave janhukanyāśarayvo Dehatyāgat/ amaragaṇānalekhyam āsādya sadyaḥ/etc. Raghuvaṁśam VIII. 95.
18. Ata sukavinā vākyabhedenāpi maraṇam ākhyātam/Abhinavabhāratī.p.250.
19. Vṛttānta-dvaya-prādhānye hi vākyabhedaḥ syāt/Tatsat on Kāvyapradpa p.140.
20. Na hi dvayoh samạ-pradhānayoḥ mitho' nupakārayoḥ ekavākyatvam yujyate/ Saṁketa on Kāvyaprakāśa Vol.II p.200.
21. Ekat roditi priyā anyataḥ samaratūyanirghośaḥ/ Snehena raṇarasena ca bhaṭasya dolāyitaṁ hṛdayam/Ibid. p.199.
22. Ityādau rati-utsāhayoḥ mātsaryamursārya iti rati- śamayośca/Ibid.p.199.
23. Satyaṁ manoramā rāmāḥ satyaṁ ramyā vibhūtayaḥ/ kiṁtu mattāngan-āpā ṅa-gabhanga-lolaṁ hy jīvitam/Dhvanyāloka. p.180.
24. Tatra mattāṅganā-apānga-bhangasya...guḍajihvikayā prasakta-anuprasakta-vastu-saṁvedanena vairagye paryavadyati vineyaḥ/Locana on Dhvanyāloka p.181.
25. Kāvyapradīpa p.269.
26. Laukika-Nyāya-Sahāsrī. p.82.
27. Sūci-kaṭahā, nyāyam āśritya alakṣya-krama-vyaṅgyasya pūrvamuddeśaḥ/ Kāvyapradīpa p.59.
28. Yathā ghaṭaniṣṭho dipo ghaṭasya udaramātraṁ bhāsayati tathā prakṛte' pi-Laukika-Nyāya-Sāhasrī p.127. quoted in Mīmāṁsā-Kośa. Vol.III. p.1652.
29. Locana on Dhvanyāloka p.190.

30. Dīpasya svarupata eva vyanjakatva, vibhavādestu jñatasyeti vaiṣamye'sya yugapat bhānā-yogāt/Tatsat on Kāvyapradīpa p.60.
31. Yathā hy pānakarasāsvādaḥ guḍa-maricādiṣu vastusu madhye ekasmin vastūni carvadbhiḥ avadhārayituṁ na śakyate tathāyamapi/Saṁketa on Kāvyaprakāśa Vol.I pp.230-231.
32. Na hy āṣvādyamāne pānakarase madhura-āmāladayo vibhāgena pratīyante/Saṁpradāya on Kāvyaprakāśa IV.Vol.I p.72.
33. Ato yatra api abhiyuktaiḥ dhvani-tātpayayor bhedavyavadeṣaḥ kṛtastatrāpi brāhmaṇa-parivrājakavat avāntrabhedabhiprāyeṇa pṛthak nirdeśa ity avagantavyam/Dīpikā on Daśa-Rūpaka p.124.
34. Brāhmaṇa-śramaṇa-nyāena ity caturtha uktamityarthaḥ/Tatsat on Kāvyapradīpa. p.146.
35. Tathāpi śṛṅgārasya na karuṇe viśrāntiḥ 'gunānāṁ ca parārthatat' ity nyāyāt/Madhumatiīon Kāvyaprakāśa. Vol II. p.196.
36. Kṣipto hastāvalagnaḥ etc.
37. Tatha ca karuṇa-sṛṅgārayoḥ mitho na anvayaḥ kiṁtu tripuraharaprabhāvātiśaye vyaṅgena vīrarasenaiva Karuṇa śṛṅgārayoḥ anvayaḥ ityarthaḥ/Ibid. p.197.
38. Prājāpatyaścaranti ity ekapadenopādānāt/....Nyūnādhika tatkalpānāyogācca pravṛtti-krameṇa eva anuṣṭhānam iti Mīmāṁsakasiddhantotra dṛṣṭānitikṛtaḥ/ Tatsat on Kāvyapradīpa pp.56-57.
39. Upabhukto hy rasaḥ sva-sāmagrī- labdhaparipoṣaḥ punaḥ parāmarśena mālatī-māla-iva mlāyati/Saṁketa on Kāvya-prakāśa Vol.II. p.175.

22

VIPRAMIŚRA'S ŚRĀDDHAPRADIPAḤ WITH RAŚMI ṬIPPAṆI

The book under review is the contribution of the Orissan writer in the domains of Dharma-Śāstra and *Pūrva-Mīmāṁsā*. The book is aptly described as 'A critical *Mīmāṁsā* oriented Dharmaśāstra treatise on the Philosophy of *Śrāddha Ritual*'.

The proper importance of the book under review will be realised against the context of the monumental volumes of the History of Dharma-Śāstra by MM.Dr.P.V. Kane. It is important to note here that in the above mentioned volumes of Dharma-Śāstra, there is no reference to the adequate the Dharma- Śāstra authors from Orissa for the simple reason that these works remained unpublished for a pretty long time.

It may be pointed out here that though MM. Dr. Kane has not written any chapter on the writers on Dharma-Śāstra from the region of Orissa, yet in the long list of the works and the authors of Dharma-Śāstra prepared by Dr. Kane, there are references to the writers on Dharma-Śāstra from the region of Orissa, to which significant fact, however, there is not a single reference in the Sanskrit introduction of the learned editor, Dr. Swain. A curious reader of the Dharma-Śāstra may be pleased to consult the

following pages of the History of Dharma-Śāstra, Vol. I. Part II: 1188,1220,1221, etc.

The chief merit of this work under review is that it is edited with original Sanskrit commentary *Raśmi* by the editor himself who is properly trained in the traditional manner of Sanskrit learning. Besides, the title of the commentary (*Raśmi*) is also significant, since it throws light on all the important aspects of the Śrāddha ritual.

In the Sanskrit introduction to this work, Dr. Swain has ably discussed the topics such as: Concept of Śrāddha in the Dharma-Śāstra literature (pp. 1- 17), Contribution of the writers from Orissa to the Dharma-Śāstra (pp. 18- 36), Position of Vipramiśra among the writers on Dharma-Śāstra (pp. 37-42). Introduction to *Śrāddha-pradīpa* and its position in the Dharma-Śāstra literature (pp. 43-52) and the comparative position of the *Śrāddha-Pradipa* in the Dharma-Śāstra literature (pp. 54-77). This introductory portion is thoroughly exhaustive and well-written in Sanskrit. The interested readers of Dharma-Śāstra and Pūrva-Mīmāṁsā will be permanently indebted to Dr. Swain for bringing to light the contribution of the region of Orissa to the field of Dharma-Śāstra in particular.

The very fact that the present text is a critical Mīmāṁsā oriented Dharma- Śāstra text is further evident from the titles of the chapter such as Angapradhāna-nirṇayālokaḥ, Kramālokaḥ, Atideśālokaḥ, Uhālokaḥ, Bādhabhyuccayālokaḥ and Tantrālokaḥ. These titles are based on the Mīmāṁsā technical terms. It may be significantly pointed out here that the other texts of Dharma-Śāstra, particularly bearing the Śrāddha aspect, give the titles differently. These titles are based on the topics of Śrāddha. In the present work, however, the interesting Dharma-Śāstra material on the Śrāddha aspect is grouped under different heads of the Mīmāṁsā doctrines. Herein lies the novelty of the work of Vipramiśra.

In comparison with the other works on Śrāddha, like *Śrāddha-Tattva* of Raghunandana, Śrāddha-Kāṇḍa of the *Smṛticandrikā* of Devaṇṇabhaṭṭa, *Śrāddha-Mayūkha* of Nīlakaṇṭha and the Śrāddha-Kāṇḍa of the *Kṛtyākalpataru* of Lakṣmidhara, the present work under review may be said to surpass all the authors in the employment of the doctrines of Pūrva-Mīmāṁsā to the domain of Dharma-Śāstra. Here it may be noted, in passing, that in keeping with the tradition of the digest authors, Vipramiśra has

also taken care to refer to and criticise the views of his predecessors like Nārāyaṇabhaṭṭa (p.17), Śūlapāṇi (pp. 17,67,77,142,149 and 206), Pārthasārathimiśra (p.86), Vijñāneśvara as Vijñānagiri (pp.181 and 220), Śrīdatta (p.200), Mādhavācarya (p. 203), etc. In his discussion on the above places, Vipramiśra takes care to record his own views possibly to maintain the tradition in Orissa.

Here one interesting point may be discussed. In his proper discussion on p. 206, Vipramiśra rejects the opinion of Śūlapāṇi on the point of Tantrata (centralisation) by the remark.[1]

It is well-known that for Tantratā, the sameness of place, agents and time is necessary. As this principle is violated by Śūlapāṇi (whose view is based on *Brahmapurāṇa* text quoted in the commentary *Raśmi* on p.206), Vipramiśra has rejected the same. It may be significantly pointed out that Nīlakaṇṭha in his *Vyavahāra-Mayūkha* p.133 (Dr. Kane's edition) says that though the principle of Tantratā is violated in respect of the sameness of agents, time and place, yet the same principle is to be adopted on the strength of the authority of the text of Nārada. Hence there is nothing wrong if Śūlapāṇi resorts to Tantratā on the strength of the text of *Brahmapurāṇa*. In fact, it seems that Nīlakaṇṭha is also following the same technique which is adopted by Śūlapāṇi. Here one may say that Dr. Swain could have referred to this case of the *Vyavahāra-Mayūkha*. But by not citing this case he has disappointed the readers of Dharma-Śāstra who have the ability to appreciate the Mīmāṁsā point in the light of the Smṛti texts. It may be remarked here that even Vipramiśra does not seem to be aware of the trends of the Dharma-Śāstra authors.

As regards the commentary *Raśmi* of Dr. Swain, it may be remarked that in the commentary one finds ample use of the bibliographical material. He has in fact, consulted all the important sources, which a traditional scholar could have consulted. In the preface to this work, Prof. Trilochan Miśra, the Vice-Chancellor the Jagannath Sanskrit Vishvavidyalaya, has remarked that the editor has given us the complete citation of the curtailed quotations (p.xiv). But this remark of the Vice-Chencellor will have to be accepted with some reservation. i.) In identifying the citation, Dr. Swain has not shown proper care. The quotation of the text of *Paiṭhinasī* on p.59 is not identified. If, however, the *Paithinasī smṛti* is not

critically edited by any scholar, Dr. Swain could have traced it in some other works on Dharma-Śāstra. To put it in other words, when the primary source is not available he should have consulted the secondary source. ii) The stanza[2] etc. on page 122 is traced by him from the *Matsya Purāṇa*, without mentioning the chapter no. and the verse no. Here also it may be pointed out that this stanza could be traced at several places - *Matsya Purāṇa* 18.29, *Padma-Purāṇa*, Sṛṣṭi-Khāṇḍa 34.35, *Śrāddha-Prakāśa* p.263, *Śrāddha-Tattva* p.239, *Śuddhi-Mayūkha* pp. 18, 22 and 29. iii) Similarly the stanza[3] etc. quoted on p. 202 is ascribed to Kātyayāna. But it is also found quoted by Nīlakaṇṭha in his *Śrādha-Mayūkaha* p.13 from the *Chāndogapariśiṣṭa*. It has been the experience of the scholars that one and the same stanza is found ascribed to different Smṛtikāras. Hence a mention of this fact becomes necessary. But it would be too much to expect this kind of technicality from the scholar who is trained in a traditional manner. iv) It may also be added that Dr. Swain has not shown the source for the Hārīta Vacana[4] etc. quoted in the commentary Raśmi on page 23. It may be pointed out here that this stanza is found quoted in Nīlakaṇṭha's *Śrāddha-Mayūkha* p.91 (J.R. Gharpure's edition of 1927) with the variant[5].

Sometimes, however, some of the explanations from the pen of Dr. Swain cannot be said to be complete. In explaining the famous *'Niṣādasthapati' nyāya* on pp.130-131, he has, no doubt, consulted the Mīmāṁsā authorities. But the meaning of the word *'niṣāda'* is not clarified by him. For the meaning of the word *'niṣāda'* attention of the serious students may be drawn to the following stanza[6] from the *Manu-Smṛti* X.8:

This stanza shows that niṣāda is the off-spring of a Brahmin husband and a Śūdra wife. The attention of the interested readers may also be drawn to the very important observation of *Medhātithi* (825 A.D. to 900 A.D.) on the above, mentioned place of the *Manu-Smṛti*. This remark also is not considered by the traditional scholar Dr. Swain. ii) Dr. Swain's explanation of on pp.25-26 is quite satisfactory. But the real significance of the Vācanika Atideśa can be appreciated only if one consults Nīlakaṇṭha's Prāyaścitta-Mayūkha p.14 (Gujarati Printing Press edition, Bombay - 19). Here Nīlakaṇṭha suggests that in the Vācanika Atideśa (a variety of Transfer of details from the Prakṛti to the Vikṛti) only the 3/4th of

the details of the prakrti to the vikṛti are to be followed. For the evolutionary aspects of Atideśa. the attention of the interested and serious readers of the subject may be drawn to the present reviewer's paper on 'Evolution of the Mīmāṁsā Technical Term Atideśa' pp.777-784 published in the Diamond Jubilee Volume of the ABORI. But it would be unreasonable to expect so much knowledge of the research journal from the scholar Dr. Swain who is trained in the traditional manner of Sanskrti learning.

The interested readers of the Dharma-Śāstra works are bound to be impressed by the excellent Sanskrit language of Dr. Swain. He wields an exceedingly facile pen in writing the commentary.

Dr. Swain has also given us the Bibliography of the works consulted for this project on pp.232-235. But it is tragic that the bibliography is not arranged alphabetically.

The traditional scholar Dr. Swain has also given us the index of the stanzas quoted in the work on pp.238-248. But he had an opportunity to give two more indexes - the index of the works quoted in the Śrāddha-Pradīpa and Raśmi and the index of the Mīmāṁsā doctrines in the commentary Raśmi. But he has disappointed interested research scholars on that count.

I would like to close this lengthy review with the remark that Dr. Swain has, indeed, rendered valuable services to the field of Dharma-Śāstra and Pūrva-Mīmāṁsā by bringing to light the contribution of Orissa to these valuable branches, with his comamand over Sanskrit language and research aptitude which are very rare in the traditional scholars. We only hope that he will continue to render his valuable services to the scholarly world by bringing to light some other important contribution of the writers from Orissa to Dharma-Śāstra, an aspect which needs much concentration and assiduous efforts.

FOOT-NOTES

1. Deśa-kāla-kartryaikye hy tantratā/
2. Lepabhāgaścaturthādyāḥ pitradyāḥ piṇḍabhāginaḥ/
3. Karṣūsamanvitaṁ tyaktvā/
4. Nityaśrāddhamadaivaṁ syāt/
5. Arghapiṇḍādivarijita for arghyapiṇḍavivarijita.
6. Brāhmaṇāt vaiśyakanyāyām aṁbaṣṭho nāma jāyate/ Niṣadaḥ śūdrakanyāyāṁ yaḥ pāraśava ucyate/

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